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PROTECTIONISM:
Applying Ethics Consistently

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Toward a Ph.D. in philosophy

University of Glasgow

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ABSTRACT

Protectionism: Applying Ethics Consistently focuses on the discrepancy between morality amongst human beings as opposed to morality with regard to all other life forms.

The introduction explains important terminology, terms, methods, and goals. The chapters that follow examine four prominent contemporary ethical theories that extend ethics to protect other life forms. Each chapter presents one of the four theories, immediately followed by a discussion of that theory.

The first chapter discusses the work of Tom Regan, a philosopher who asserts that certain non-human animals hold rights, and that people are obligated to uphold corresponding duties to respect these rights. The second chapter examines the work of the philosopher Peter Singer, who recommends protection for some non-human animals based on sentience and utilitarian principles. The third chapter is dedicated to the work of Andrew Linzey, a theologian, who indicates a Christian obligation of servitude toward non-human animals based on Jewish and Christian scripture. The fourth chapter presents and examines the work of Paul Taylor, a philosopher who offers a theory of environmental ethics based on the inherent worth of certain plants and animals.

The fifth chapter has two sections. Section A expands on Linzey's work to demonstrate consistency across faith traditions. Without focusing on any one tradition, this section highlights protectionist qualities within the Vedic/Hindu, Buddhist, Taoist, Islamic, and Indigenous religious traditions. Section B is an exercise in consistency in applied philosophy, which offers an ethical theory, the Minimize Harm Maxim. This theory is not my personal theory, but merely results from philosophic consistency and impartiality in applied ethics, based on current Western ethics regarding human life.

The conclusion restates the ethical dilemma—a discrepancy in our current ethical system—and reaffirms the need for continued philosophical exploration of ethical theory and practice with regard to life, toward a morality that is less partial and more consistent.

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INTRODUCTION

My dissertation addresses an ethical discrepancy that lies between our moral requirements regarding human beings as opposed to our moral requirements with regard to all other living entities. The first four chapters present and discuss four ethical theories that propose an extension of ethics to include certain non-human animals. In Chapter Five I design a theory based on the consistent application of current Western ethical standards, extending ethics which we now reserve exclusively for human beings to cover all life forms.

The first scholar I discuss is Tom Regan, who asserts animal rights. The second, Peter Singer, is a utilitarian who develops a theory around maximizing pleasure and minimize pain. Andrew Linzey, the third scholar, is a theologian who outlines an ethic of obligatory servitude to God's creation (including non-human animals) based on the Hebrew Bible and New Testament. The final philosopher, Paul Taylor, presents a theory of environmental ethics to protect wild organisms, based on the inherent worth of teleological entities.

Chapter Five, informed by the strengths and weaknesses of the previous four theories, offers an exploration of future possibilities in applied ethics with regard to non-human animals. This chapter presents an ethical theory that is based on the philosophic principles of impartiality and consistency. The result, based on the consistent application of our highest ethical ideals, is a significantly expanded ethic.

1. *Terminology.*

a. *protectionism*: The term "animal rights" pertains to only a few relevant current ethical theories—those that propose "rights" for animals. (Of the four prominent scholars included in this dissertation, only Tom Regan's theory proposes animal rights.) "Animal welfare" has come to refer to those who are concerned for animals, but who remain openly

humanocentric in outlook and aims. “Abolitionist” has an important, historic meaning, which ought not to be supplanted or marginalized. “Abolitionist” refers to advocates for the abolition of slavery in the United States prior to the Civil War. The term “liberationist” carries unfortunate connotations of violence, and is committed to other usage. In any event, “liberationist” refers to “liberating,” and is therefore not well suited for the broad spectrum of ethical issues that involve non-human animals, such as sport-killing, habitat destruction, and “owning” companion animals.

For these reasons the term “protectionist” seems more appropriate than any of the above options. “Protectionist” will refer to anyone who strives to protect non-human life forms, whether via animal rights, utilitarianism, theology, or environmental activism, whether as a liberationist or a welfarist. “Protectionism” will also refer to any ideology or behaviour intended to protect non-human animals from human beings. Though this term has a place in economics, it is so infrequently used and sufficiently different from the usage I propose, that confusion is unlikely.

While many protectionists may strive to protect human beings, including the unborn, the term protectionist will refer specifically to those people who strive to protect and aid non-human entities. Similarly, the work of environmental philosophers is protectionist only in as much as it seeks specifically to protect the lives of non-human living entities (as opposed to those who seek to protect other animals for the sake of human benefit).

b. *non-human animals*: Precise language is critical. While the precise use of words may sometimes be tiresome to the reader, it is important for clarity.

Accepted Western definitions of “animal” include people. Because people are animals I use the term “non-human animals,” or “other animals,” refers to all species other than Homo Sapiens.

People commonly refer to other animals as if we ourselves were *not* animals—but *we are*. Artificially distancing ourselves from other animals impedes our ability to assess our proper moral obligations toward these other animals. Morality is often understood as an extension of our sympathies from those we know well to others, whom we know only

partially (Telfer, Food 75-6). We generally want to be good to our families, and to our friends. By extension human ethics protect communities, nations, and to some extent (in some places) all people. For this reason, when considering ethical obligations to other animals, it is important to remember that as mammals we are closely related to other animals.

Language can make it easier for us to forget our biological connection with other animals. Using language correctly—acknowledging that we are included in the scientific definition of what it is to be an animal—reminds us of these morally relevant similarities, and thereby helps us to assess our rightful moral relationship with other animals.

2. *Terms.*

a. *moral considerability*: Entities granted moral considerability have a certain moral standing (Orlans 16): “if an individual has the capacity for being morally considered, she warrants (deserves, merits) moral consideration” (Berstein 10). Moral considerability carries ethical obligations for moral agents (Birch 322); moral considerability distinguishes those that moral agents must treat with “minimum standards of acceptable behaviour” (Warren 13).

Kenneth Goodpaster introduced the notion of moral considerability in 1978, in his article, “On Being Morally Considerable.” His work does not discuss moral *behavior*, but rather the requirements for Q, such that Q has moral standing. “On Being Morally Considerable” focuses on “the breadth of the moral enterprise,” assessing the nature of those entities to which we owe moral obligation (308-310). Goodpaster explores the necessary and sufficient conditions of Q that render Q worthy of moral consideration.

“On Being Morally Considerable” describes several distinctions relevant to understanding moral considerability:

- First, moral considerability is not dependent on, and does not imply moral rights. Moral rights are separate, narrower, and ancillary (311).
- Second, the issue of moral considerability does not involve moral significance. To determine whether or not Q has moral standing is not to determine the *weight* of that moral standing. Adjudicating competing claims is also separate

and ancillary (311-312).

- Goodpaster also distinguishes between ideal versus practical ethics. What we are accustomed to (normative ethics) and what we are able to accomplish (practical ethics) as opposed to what we can ideally conceptualize. He defines “regulative” moral considerability, whereby *Q* is morally considerable, but where *Q*’s moral status is overlooked, or overridden, for practical reasons (313).

Though moral considerability is foundational in ethics, the specific requirements for moral considerability remain unclear. In Regan’s theory “subjects-of-a-life” are morally considerable; Singer’s theory reserves this privilege for “sentient beings.” In Linzey’s theory all of creation is morally considerable, while Taylor’s theory offers moral considerability to all natural teleological entities. Most often philosophers list mental faculties as primary requirements for moral considerability, such as understanding, intending, suffering, consciousness, or having desires and preferences (Orlans 17). Yet there a more rudimentary requirement for moral considerability has been suggested: *having interests* (Rollin 35).

Generally, Western ethics recognizes all human beings as morally considerable; no other animals are regarded as innately morally considerable (though some are protected as human “property,” or through special legal status such as “game” animals or “endangered species”). Human beings, whether brain-dead, comatose, new-born, or on the edge of death, are all thought to be morally considerable in current Western ethics. Citizens cannot treat them just any way they please. This is not true of non-human animals. For instance, whereas we are not allowed to kill other people for no good reason, we can kill a mouse because it is bothering us, a mole because it digs a hole in our yard, a raccoon in order to show off its tail, a cow so that we can eat its flesh, or innumerable other animals simply because we choose to do so.

For most of my dissertation I scrutinize and contrast extant theories that involve moral considerability. In Chapter Six I demonstrate where logic, and the consistent

application of current Western ethics (regarding human beings) leads with regard to our treatment of other life forms. I do not posit my own theory of moral considerability, or of morally relevant criteria concerning moral considerability. The task that I undertake is the consistent application of current ideals regarding moral considerability amongst human beings to all creatures that are similar in morally relevant ways.

b. *morally relevant distinctions*: A morally relevant distinction is a distinction that can be made between individuals or groups of individuals that has the potential to affect how that individual ought to be treated. Morally relevant distinctions are central in determining moral considerability: legitimate determinations of whether or not an individual is morally considerable are based on morally relevant distinctions.

There is no conclusive list of morally relevant distinctions. However, there is a good deal of discussion on the matter. Goodpaster, in "On Being Morally Considerable," notes that rationality is not a morally relevant criterion. He reaches this conclusion by noting that if rational thought were a morally relevant criterion, then children and those without full mental faculties would not qualify for moral considerability, an idea soundly rejected by current Western ethics (314). It is not permissible to treat non-rational human beings in any manner one chooses—a non-rational human being is morally considerable. This being the case, Singer comments, "If possessing a higher degree of intelligence does not entitle one human to use another for his own ends, how can it entitle humans to exploit nonhumans for the same purpose?" (Animal 7). As Singer notes, philosophical consistency requires that rationality either be accepted as a morally relevant criterion between all human beings or rejected as a morally relevant criterion between human beings and all other animals.

Jeremy Bentham and Peter Singer focus on sentience, the ability to feel and suffer, as the fundamental morally relevant criterion for moral considerability. This criterion includes most animals along with human beings. Other animals share neurological and mental faculties associated with pain in human beings; they react to pain in ways similar to the reactions of human beings (vocalizing, contorted body movements, attempting to escape); and pain offers the same evolutionary benefits to all types of animals. Singer

concludes, “There is no good reason, scientific or philosophical, for denying that animals feel pain. If we do not doubt that other humans feel pain, we should not doubt that other animals do so too” (Animal 15). Due to physiological similarities, if sentience is morally relevant amongst human beings, consistency and impartiality require that sentience be acknowledged as morally relevant in other creatures.

Goodpaster agrees with Bentham and Singer, but not completely. He notes that sentience is a *sufficient* condition for moral considerability, but not a *necessary* condition. Goodpaster explains: “sentience is an adaptive characteristic of living organisms that provides them with a better capacity to anticipate, and so avoid, threats to life” (“On Being” 316). He argues that the purpose of sentience is to protect life. Although some organisms are not sentient, they also have circumstances and conditions that are *in their interest*, such as conditions that allow for survival and reproduction (“On Being” 316-317). Goodpaster argues that these broader interests, beyond sentience, are also morally relevant *because they can be thwarted or satisfied*. He highlights the “connection between beneficence (or nonmaleficence) and morality,” and asserts that having something *be in one’s interest* is the fundamental morally relevant distinction that determines moral considerability (“On Being” 316, 322).

Morally relevant criteria are critical to determining moral considerability, and the concurrent duties of moral agents. Sentience entails an interest not to be harmed, a morally relevant distinction between animals and plants, that carries certain moral obligations for moral agents. For instance, in light of sentience, thickness of skin—but not skin-color—is morally relevant. The swat of a puma would wound a zebra, but it would kill a Tasmanian rat kangaroo; a bushy coati will be less harmed by the sting of a nettle than a newborn cotton rat, while an arctic shrew will weather a brisk snowstorm better than a wallaby. Interests of sentient individuals vary according to physiology, but only in degree, not in kind. What is hurtful to a newborn, or a desert animal, will not necessarily be hurtful to a mature or Arctic animal. The duties of moral agents, for instance the duty not to cause needless suffering, vary according to morally relevant criterion.

Other distinctions may seem greater, but are also only distinctions of degree. For

instance, one might suggest that mammals require air, but fish do not, and therefore one might deprive a fish of oxygen without causing unnecessary harm. Yet both a hognose skunk and a barracuda have an interest in breathing oxygen. The skunk's interest cannot be satisfied under water, while the fish *must* be under water in order to absorb oxygen. A morally relevant distinction cannot be made between these two animals on the basis of their interest in obtaining oxygen. Each can be suffocated, though in different ways, and each has an interest in not being suffocated. However, a morally relevant distinction *must* be made regarding how the interests of each are fulfilled. A skunk must not be kept *underwater*, while a fish must not be kept *out* of water, if both of their lives are to be preserved. In contrast, a saguaro cannot be said to have an interest in obtaining oxygen, and a morally relevant distinction *can* be made between hognose skunks and barracudas on the one hand, and saguaros on the other, with regard to access to oxygen, *but not concerning water*, an interest shared by skunks, barracudas, *and* saguaros.

Morally relevant distinctions are based on interests such as an interest in obtaining oxygen and water. These constitute morally relevant distinctions because they ought to be taken into consideration for how mammals ought to be treated. Plants have a morally relevant shared interest in water, but not in obtaining oxygen—a morally relevant distinction that ought to affect the actions of moral agents. A moral agent can put a saguaro in a room with no oxygen without thwarting the interests of the plant, but the same cannot be done with a Tasmanian rat kangaroo. Whereas many animals, including barracudas and skunks, are harmed if denied oxygen (morally relevant similarity), other entities, such as saguaros, are not (morally relevant distinction).

Human beings have sought to identify distinctions between themselves and other animals, none of which are morally relevant: ability to use language, rational thought, culture. While the absence of these qualities in all non-human animals is debatable, it is an accepted truth that each of these qualities is lacking in some human beings. Current Western ethics does not consider the absence of language, rationality, or culture morally relevant amongst human beings. Those who cannot speak are neither more nor less morally considerable than other human beings. People who are brain-damaged so that

they cannot engage in rational thought are not held to be less morally considerable than those who are extremely bright. If these distinctions have no moral bearing *between* human beings, why would they have moral bearing *between* species? Philosophic consistency indicates that these attributes ought not to be relevant between species if they are not relevant between humans.

People have also noted distinctions between human beings and other animals that cannot be proven true or false, such as the absence of an immortal soul. Because this assertion cannot be proven or disproven (in human beings or in other animals), it is not a morally relevant criterion.

As yet, human beings have failed to conclusively establish any *morally relevant* distinction between *all* human beings and all other animals. Where there is no morally relevant distinction, moral agents are obliged to treat like cases in a like manner.

c. *inherent value/intrinsic worth*: (Value and worth are interchangeable, as are inherent and intrinsic.) Inherent value lies within an entity. An entity that has inherent value is both the source and the locus of its own worth or value. Inherent value “must be either a property of an inherently valuable natural entity or be grounded in its actual properties, and it must be objective and independent of any valuing consciousness” (Callicott, “Intrinsic” 258).

To propose inherent value is to posit that “value *inheres* in natural objects as an intrinsic characteristic, i.e., as part of the constitution of things” (Callicott, “Intrinsic” 261). The critical distinction is that “humans may discover such values but do not generate them” (Lee 299). Whether biologically or spiritually based (as indicated by E. Wilson and Andrew Linzey respectively), inherent value implies that an entity is an end in itself, as opposed to a means to an end (inherent value as opposed to instrumental value) (Lockwood, “End” 266). “The heart of the concept of the *intrinsic value* of life is the claim that the value of an animal is not limited to an analysis of its usefulness to humans. The value of something that is a means to an end is an *extrinsic value*” (Orlans 202). Some protectionist philosophers determine that having interests is synonymous with inherent value: “A sentient being... has intrinsic value in that it experiences what happens

to it as good or bad for itself" (A. Taylor 251). Thus an entity with interests would be granted inherent value.

Morally speaking, what is critical about inherent value is that inherent value entails moral considerability (Lockwood, "End" 269). In the above example, all entities with interests would qualify as morally considerable. Inherent value is thus one of many means of determining and asserting moral considerability. However, defining inherent value and delineating all those entities that have (and do not have) inherent value, is an extremely difficult task, and one best left to those in the field of meta-ethics.

In contemporary Western society, human beings are generally all assumed to have inherent value. While no morally relevant distinction between all people and all other animals has been adequately established, Western ethics assumes that other animals lack inherent value.

d. *intuition*: Intuition is the "direct perception of truth, fact, etc., independent of any reasoning process" (Webster's). In this dissertation the term refers to "moral intuition," which does not involve "second sense," a hunch, or any similar vague inner motivation. "Moral intuition" refers to those truths that most people in contemporary Western society agree on, after reflection. For instance, there is a common moral intuition that the parents of a child ought to base their actions on their child's best interests, even if the child's best interests are costly to others. There is no law that enforces this moral ideal, neither is there a generally understood moral rule with regard to this ethical ideal, such as the Biblical commandment regarding material greed: "Thou shalt not covet thy neighbor's ass." Yet moral intuition is likely to lead most of us to conclude that parents ought to behave in such a way as to further the best interests of their children. Thus, moral intuition refers to this general moral sense of what one ought to do in a given time and place, in a certain situation.

e. *speciesism*: Speciesism is the human tendency to make distinctions between species based solely on species, regardless of whether or not species entails morally relevant distinctions. One is speciesist when "moral obligations in respect of another creature are sensitive to the identity of its species; if its species is the same as yours, then

your obligations are greater than they are when the species is different,” irrespective of morally relevant criteria (McGinn 95). Those who are speciesist tend to assume that the interests of human beings are always favoured over the interests of any other species (Orlans 19).

Philosophically speaking, speciesism is considered an illegitimate means by which non-human animals are denied moral consideration simply because they are not human beings (Orlans 20). Speciesism is analogous with racism (to make moral distinctions between races based on race, a criterion that is not morally relevant), and sexism (to make moral distinctions based on gender, which is not a morally relevant distinction). One who is speciesist most often assumes that human beings “are entitled to treat members of other species in a way that would be considered improper treatment for members of our own species” (Thiele 173). Those who are speciesist are apt to ignore morally relevant criteria, such as pain or deprivation, and determine which entities are morally considerable based purely on species. Those who stand against speciesism assert that one cannot determine moral standing based solely on species membership.

Richard Ryder, who coined the term, blamed entrenched speciesism for current indifference and cruelty toward non-human animals.

Our society takes great pains to save human life, spending millions of dollars on elaborate medical care for everyone from premature babies to geriatrics. At the same time, we kill billions of animals and birds for the quite unnecessary purpose of flesh. If a dog is unwanted, it may be taken to a vet or the local pound to be destroyed; no one dreams of doing the same to unwanted humans. When a woman breaks her leg, the doctor will tell her not to worry because in a few weeks the leg will be as good as new again; when an animal fractures a bone, it is quite common to kill it in order to save the expense of medical treatment. (Singer, “Animals” 223)

f. *living entity*: “Nature,” Aristotle observed, “proceeds little by little from things lifeless to animal life in such a way that it is impossible to determine the exact line of demarcation” (Margulis 26).

Life is not a “thing” in itself. The Russian scientist Vladimir Ivanovich Vernadsky referred to life as “living matter” thereby escaping “centuries of mystic clutter attached to the word ‘life;’ ...life is less a thing and more a happening, a process.” (Margulis 45)

“...even the simplest life form respond[s] to its surroundings to preserve and protect its form (Margulis 50).

A living entity is an entity that is alive and strives to maintain its existence as the type of entity that it is. Entities that are alive, *organisms*, exhibit growth through metabolism, reproduce, and adapt to the environment via internal change. *Animals, plants, fungus, protistans and monerans* (bacteria, pathogens, and blue-green algae) are all living entities. Viruses do not fit the criteria; they do not self-maintain or metabolize. Viruses only “come to life” when they enter another living organism. “Smaller than cells, viruses lack sufficient genes and proteins to maintain themselves. The smallest cells, those of the tiniest bacteria,” are the smallest self-maintaining entities (Margulis 23-24). For the purposes of my work, cells will be considered entities capable of living, while viruses are not.

3. *Methods.*

a. *consistency and logical extremes:* Consistency is critical to the philosophic process: “to abandon consistency as a criterion of what one permits oneself to believe is to abandon the examined life, personally, and Western civilization, culturally” (Callicott, “Environment” 25). Consistency is an important aspect of rational thought, critical to the philosophic process if one wishes to reach sound answers to difficult questions.

Consistency can lead to logical extremes. One function of philosophy is to examine how far a point of view might be taken if one is consistent. Not how far an idea might “reasonably” be taken, but how far a point of view might be carried *as a matter of philosophical consistency*. Exploring the extreme edges of an argument offers five worthy advantages:

- we become more aware of extremes, which might help identify a middle-ground;
- the fullest implications of a theory are exposed, which allows one to examine side-effects and side-issues that might be associated with a given response;
- we are better able to identify at which point the application of a particular principle seems to become unreasonable, and why;
- we are better able to determine how far we are willing to pursue a certain line of thought, and why we are unwilling to go any further;

- we are forced beyond blind spots and biases, to consider new and challenging ideas that might otherwise be overlooked.

For all of these reasons, logical extremes are important for assessing philosophical theories. My theoretical speculations in applied philosophy, presented in Chapter Five, examine protectionist ethics specifically to discover where protectionism might ultimately lead if the ideas are *consistently* applied and carried to their *logical* conclusion *across species*. My intent is to consistently apply ethical principles regarding human life to *all* life. This method necessarily results in a point of view that seems extreme, but raises important questions about our current philosophical attitudes regarding ethics and the protection of living entities, including human entities.

When ethics regarding the value of human life are extended to non-human entities, and visa versa, we might well feel that the conclusions are “absurd.” For instance, most of us would be indignant at the thought of a business that forcibly extracts and sells the milk of lactating human mothers, yet few human beings are bothered by this same business profiting on the nursing milk of cows.

This remarkable discrepancy seems worthy of the attention of moral philosophers. Is our treatment of other animals an ethical blind spot maintained by ignorance and economic self-interest? Few people know what transpires in a testing laboratory or in the egg industry. Few people know that there is absolutely no need to eat flesh or drink the nursing-milk of other animals. But many of us feel that we have something to gain by experimenting on other animals or drinking their nursing milk.

Human beings will go to remarkable extremes to maintain human life in almost all instances. In contrast, we harm and destroy millions of other living entities routinely for the sake of such non-essential human interests as testing household products and satisfying the culinary preferences of those who eat eggs, meat, and cheese. It is this *inconsistency* that offends my sense of justice and leads me to examine protectionist philosophy.

Consequently, suffering and loss of life are not the main issues; consistency is the focus of my work. The reason for this requires explanation. Consider the adult life of a May Fly, which lasts for less than one day. An adult mayfly might only live a few hours if

eaten by a predator. Human beings are not any different, in the long run, from mayflies. We live a very short time, sometimes shorter than expected. We sometimes prosper, sometimes live a little longer than others, but we always die. Humans have a comparatively short life expectancy compared with a tortoise that might live 150 years. In this light, our little speck of time on earth might seem as tragic, irrelevant, or laughable as that of the May Fly. But *this is all we have*. Each entity lives for a short time, often suffers or dies prematurely, but in any event, *always dies*. For this reason, suffering and death in themselves do not attract my ethical concern, whereas the apparent inconsistency in our ethics does.

Overall, life has tremendous value to the one possessing that life. *Life matters tremendously to each entity that lives*. In some cases a given life also matters to a select group of other entities, such as members of a family unit or pack. (This is particularly true of gregarious animals such as wolves or humans.) Yet despite our great interest in living, *we all die*, and this state of affairs is not likely to change.

Given this truth, is our ethic—an ethic that maintains human life, under normal conditions, *even against all odds and at tremendous cost*—appropriate? Is it rational to hold onto life with such tenacity, to keep a human body alive that is unable to breathe, eat, or drink by itself just because it is a human body? Is it reasonable to sustain human bodies under such conditions while simultaneously destroying other animals *en masse*, for culinary pleasures and our own hoped-for medical gain? Do either of these actions make sense in a world that swarms with Mayflies and humans? Consistency suggests that *our reaction to our own death and our treatment of other life forms cannot both be appropriate moral responses*.

This is the motivating question behind my work. It is my intention in this dissertation to examine the discrepancy between our extensive moral obligations to human life, and our comparative moral indifference toward other life forms. Should life be maintained even against great odds at tremendous cost, or ought we to accept our inevitable and constant destruction more lightly—as we do the destruction of individuals from other species? I offer no definitive answer, only a clearer vision of this flagrant moral

inconsistency.

My work in the fifth chapter is based on current Western ethics with regard to human life; I extend this extensive ethic concerning human life to its logical conclusion. Many are apt to feel that my dissertation reaches unexpected and remarkable conclusions. Yet most of us would accept these “radical” conclusions in cases concerning the lives of human animals. This inconsistency in our application of ethics appears indefensible (as Tom Regan and Peter Singer aptly demonstrate). *Given that we have thus far established no morally relevant difference between all other animals and all human beings, consistency requires that we apply our current ethical standards for human life to other life forms.*

The burden of proof against what may seem to be an “extreme” conclusion lies with those who falter and fail in the consistent application of accepted moral standards. In the absence of morally relevant differences, these ethics must carry across species. If consistency is maintained, it is my thesis that conclusions that seem “absurd” are in fact *moral imperatives*.

b. *impartiality*: Impartiality is critical to sound ethical theories, particularly to any assessment of ethical standing. Justice requires an impartial application of ethics.

Impartiality is jeopardized if the individual implementing an ethical theory has a vested interest. For instance, if three people have a vested interest in an inheritance, and one of the three is the judge determining who ought to receive the inheritance, justice is at risk. Similarly, if the judge in a particular case is engaged to be married to the man who is on trial for theft, justice is at risk.

As these examples reveal, vested interests, emotional attachment, and a close affinity make impartiality difficult to maintain. When human beings assess ethical rules between human beings and other animals, they generally have vested interests. Human beings always have a close affinity to those involved: we have a particular relationship with the human species over and against all other species, and a vested interest in our own lives and the lives of those we care about. It is not possible for us to move outside of this position of bias—it is inherent. If we are to exact justice, we must strive to be impartial in

spite of our vested interests and personal connections.

Due to our inherent human bias, we must be wary of assessing other species, especially assessments that are used to elevate our own ethical standing while diminishing the moral status of other creatures. We must examine the means we use to reach these conclusions, and regard any decision that favours human beings as suspicious.

There are many examples of our failure to fairly assess other animals. Humans concocted tests to assess the intelligence, ethical tendencies, and sensitivities of non-human animals, but all were necessarily created and administered from a human perspective. Our first attempt to teach chimpanzees to speak provides another apt example. Scientists concluded that chimps did not have linguistic ability, that they lacked the cognitive mechanisms necessary for all but the most basic forms of communication. They concluded that speech is the exclusive realm of human beings, a defining characteristic shared by no other animal, and an important element in establishing moral status. However, it was later discovered that chimps lack the physiology for *verbal* speech, but can communicate effectively—beyond basic communication—via sign language. We are now finding that other animals, such as whales, apes, and even vervet monkeys, have their own complex forms of communication (M. S. Dawkins 23-24, Warren 53). Most philosophers no longer consider language a necessary condition for moral considerability, but rather a form of humanocentrism (Orlans 150): “For a variety of economic, religious, or other ideological reasons, it has been important to many people to insist on an unbridgeable gulf between humans and animals, and language has seemed the most promising instrument for achieving this” (Dupre 331).

Descartes is perhaps the best example of our inability to assess other animals. He concluded that non-human animals could neither think nor feel (Descartes 115). Human understanding of pain, intelligence, communication, thought, community, learning ability, and ethics are based on our narrow human perspective, gained from understanding these aspects as parts of our own lives. Yet we persist in judging other entities, and we invariably find ourselves to be the most “advanced,” and the most worthy of moral consideration.

Why do we need to believe that we are radically different from other animals? Other animals exhibit adaptive behavior and have similar central nervous systems. They exhibit emotional responses and live in communities.

...any reason we have to doubt the existence of the minds of animals also gives us reason to doubt the existence of the minds of other humans. We are faced with a choice between attributing mental states to animals and solipsism or skepticism concerning other minds generally. As most of us are quite ready to accept that other human beings have minds, then we should accept that animals too have minds.

The brains of all multicellular animals, including human beings, are made of the same matter. The fundamental characteristic of neurons and synapses are roughly the same. ... the brains of small whales, dolphins and porpoises are close in size to those of human beings, both absolutely and in relation to size of body.

...the general truth that animal brains are anatomically similar to our own must be accepted. And this gives us reason for believing that the mental events that take place "within" them are in some degree similar to those which occur in our own brains. (Crisp, "Evolution" 310-312).

Not even our minds can be considered fundamentally different from the minds of other animals. "We now know that these three attributes—complexity, thinking and minding about the world—are also present in other species. The conclusion that they, too, are consciously aware is therefore compelling" (M. S. Dawkins 177). We are not distinctly different from other animals in any morally relevant way. "A culture that recognizes its behavioral and emotional kinship with nonhuman animals is one that is likely to recognize its moral kinship as well" (Bekoff 360).

Our past assumptions and assessments say more about "scientific advancement" than they do about the abilities of other creatures. Methods of assessment are far from trustworthy *even amongst our own kind*. How much can we know about the cognitive or emotional states of other people, let alone those of other animals? It is difficult to visualize how we might adequately assess the diverse abilities, tendencies, and interests of other creatures, especially psychological tendencies and mental abilities, across species. Our assessments of other creatures must be acknowledged as partial and entirely speculative.

Assigning moral considerability, even amongst human beings, has not been unanimous over time. Romans "did not include in their moral community criminals, captives, foreigners, or nonhumans" (Marshall 80). Only recently have African Americans in the United States been granted the same rights as other human beings. For centuries women were denied the opportunity to hold public office or vote. In light of our inability to be impartial with regard to assessing what other human beings ought to be granted (particularly when the assessor has a vested interest) disparaging assessments of other animals ought to be met with considerable suspicion.

Given the inherent epistemological difficulties, and our tendency to be biased, we ought to avoid assumptions regarding the mental states or abilities of other creatures. Where assessments must be made regarding basic interests, we ought to assume that non-human living entities have the same basic interests as living human entities unless otherwise proven. For example, maintaining one's physical being and procreating. Even bacterium make more of themselves in order to maintain their existence; "...the simplest life form respond[s] to its surroundings to preserve and protect its form." (Margulis 13, 50) There are four reasons for this approach:

- to avoid the inherent epistemological difficulties in assessing cognitive or emotional states external to ourselves
- for the sake of consistency—this is the manner in which we approach other human beings
- to avoid bias, which is commonplace in interspecies assessments
- because shared biology indicates that *basic* interests amongst living entities are fundamentally the same.

In light of these philosophical standards, in the absence of any established morally relevant distinction, the burden of proof lies with those who would argue otherwise.

In spite of the inherent human bias in assessing other animals, and in spite of the conspicuous similarities between species, humans commonly assume, without regard to empirical evidence, that they are the only ethical animals. This assumption is not supported by evidence.

A minimum view of ethics is that it is a system of behavioural norms that generate expectations of behaviour and punish deviance. Other animals appear to comply with social expectations, and to suffer social punishments for infringements. For instance, the seldom heralded vampire bat provides an example of "animal decision-making... what looks like a system of morality based on the principle of reciprocation of favours given in the past, coupled with sanctions against those that do not live up to their obligations" (M. S. Dawkins 57). Based on observations, the same might well be true of other primates, canines, equines, felines, insects, and perhaps many other non-human entities (Inside). (This possibility is explored, and examples offered, in Chapter One).

In the likely event that ethical systems are not exclusively human, two interesting possibilities follow:

- Ethics, including human ethics, might be genetically encoded.

- Human ethics is but one of many ethical systems throughout the animal world.

If the former is true, then our much-touted ethical ways are merely biology in action. E. Wilson argues that what we recognize as “moral sentiments” might be better described as “moral instincts.” Wilson asserts that if we are to understand the “deep springs of ethical behavior,” we must consider the “development of moral sentiments as products of the interactions of genes and the environment” (64). If so our moral behaviour is merely a genetic predisposition resulting from natural selection, rather than a metaphysical truth to be discovered (58-59). Wilson asserts that ethics are “far more a product of autonomous evolution than has hitherto been conceded” (70). While perhaps not all that human ethics entail can be explained through a biological analysis, Wilson’s perspective enhances our awareness that we are animals, not so very different from other animals.

If Wilson is correct, then it is likely that other species are also genetically wired with an ethical code. If this is the case, then philosophers working in ethics have a much broader field to explore than was previously assumed. If other animals are in fact ethical agents in as much as we are, it would seem important to our ongoing ethical exploration and advancement that we attempt to move outside our narrow human vision of ethics to comprehend this larger ethical sphere. Like the judge with a vested interest, we cannot maintain impartiality, or adequately assess our own ethics, unless we are able to envisage morality from a broader viewpoint.

Partiality has proven a dangerous stumbling block for human morality. Though just another type of creature, humans are very powerful, and often make decisions that affect other animals. In the Southern United States 200 years ago, Caucasians enforced an ethical code that held only Caucasians to be morally considerable. Such power does not demonstrate superiority—on the contrary. As we look back to the power and abuse that slavery entailed, we are ashamed of our moral shortcomings. Yet, at that time many people found it difficult to believe that African Americans were sensitive and intelligent, and suffered terribly from the treatment they received at the hands of Caucasians. Powerful slave-owners had everything to gain by envisaging slaves as lesser, as less

deserving, and as ethically irrelevant. The same is now true for human beings with regard to all other animals.

If we are to fairly consider our ethical obligations with respect to other animals, we must strive to shift our vision beyond the narrow circle of personal vested interests. Currently, it looks as if we have labelled ourselves as the only ethical animals, while exemplifying an “ethic” that translates into “might makes right.” Ethical theories ought to consider the interests of all morally relevant entities, regardless of color, species, assumed aptitude, or gender.

After discussing the works of Regan, Singer, Linzey, and Taylor, I attempt to present an impartial, consistent ethical theory that reaches across species barriers. In as much as I succeed, I present an ethic in which humans are equal members in a world of morally considerable living entities. In this ethic might does not make right, all living entities are equal, and the value of life does not change according to species, race, or gender.

In the interests of upholding the important philosophic principle of impartiality, we ought to perpetually question “morally relevant difference” between humans and other animals, always yielding the benefit of the doubt on the side of sameness, honouring the fact that we are all animals, and striving for consistency and impartiality. Where no morally relevant distinction can be securely demonstrated, we must extend our ethical code to include other creatures.

d. *lifeboat scenarios*: Philosophers sometimes use hypothetical “lifeboat” scenarios, built around unlikely ethical dilemmas designed to test the farthest reaches of a given theory (Norton, “Applied” 127). Specific philosophic cases are often developed to create a particular situation in which a certain dilemma must be confronted (Orlans 42). Lifeboat scenarios can help us:

- move from theory to applied philosophy
- find the logical extremes of a given theory
- find weak points in a theory
- discover inconsistencies in the application of a theory

- move away from entrenched points of view on standard issues
- remind us that philosophy is a process of exploration
- find reprieve from difficult or depressing real-life issues

Lifeboat scenarios offer an opportunity to apply theories. While it is easy to say that life ought to be preserved whenever possible, it is a very different matter to decide what that means in the unlikely event of five individuals in the middle of an ocean on a lifeboat that can only hold four. Such a situation pushes an idea, such as the sanctity of life, from theory to application. Does the sanctity of life require that all die to prevent one from being sacrificed, or does the sanctity of life require that one sailor be sacrificed for the benefit of the other four?

Lifeboat scenarios exacerbate dilemmas yet restrict answers, forcing philosophers to make decisions regarding extreme situations. They not only force us to apply our ethical ideas, but they force us to apply our ideas to very extreme, and therefore difficult, situations.

Tough cases help us to assess ethical theories. Extreme situations reveal weak points and inconsistencies that are not revealed in the situations for which these theories were designed. Philosophers can only design theories within the context of their own experience and understanding, but lifeboat scenarios can remove theories from this secluded context. In the process, weaknesses and inconsistencies are apt to surface. For instance, in the above example let us suppose a naked mole-rat, a mouse deer, a hyrax, a needle-clawed bushbaby, and a Homo Sapiens occupy the four-entity raft. Regardless of body size and weight, only four of the five can remain. If life is valuable—which Western ethics currently assumes to be the case for human beings—then all life is valuable, and one is faced with the task of determining on what grounds an individual might be tossed overboard, if any. In the process, inconsistencies, weak-points, and previously undetected difficulties surface.

An important role of philosophic discourse is to challenge assumptions, to allow the human mind to expand and explore new concepts. Hypothetical situations remove us from direct contact with entrenched positions on real-life issues. Lifeboat scenarios help

us to examine new situations with a measure of distance, and offer philosophers the opportunity to explore new possibilities. When we examine hypothetical situations, created by pure imagination, there is less personal investment. While philosophers tend to understand the implications of each scenario, a lifeboat scenario can help us to see beyond long-held assumptions.

Almost any ethical theory can be made to look ridiculous in a well-crafted lifeboat scenario. Lifeboat scenarios remind us that the implications of any given idea are usually well beyond what we anticipate. This humbling fact reminds us that the essence of philosophy lies in grappling with the conundrum. Ideally philosophy is not a mindless defense of one's point of view—philosophy is a process.

Finally, the topic of ethics with regard to animals is heavy-laden with issues of extreme suffering and seemingly endless, unnecessary misery. Hypothetical situations allow us to step away from the horrors of these real-life situations. Absurd scenarios can offer a reprieve from real-life horrors, and sometimes add humor to an otherwise distressing topic.

The downside of Lifeboat scenarios is that they have a tendency to trivialize all-too-real ethical problems, and to lead philosophers away from real-life dilemmas that stand in dire need of attention. Lifeboat scenarios have sometimes discredited philosophy and log-jammed the process of finding reasonable solutions to complex current dilemmas.

Lifeboat scenarios must not stand in the way of our ability to make decisions when faced with real-life problems. Just because we cannot conclusively decide whether to cause the last flea-bitten numbat or a host of pregnant two-toed sloths to sink or swim does not mean that we can have nothing legitimate to say about the ethics of destroying eight billion chickens and turkeys strictly for a culinary predilection. The role of lifeboat scenarios is important to the philosophic process, but limited. In the last analysis we must focus on specific issues, rather than general philosophical conundrums, to reach practical results (Sanders 30). Ultimately lifeboat scenarios must be set aside, and we must decide how to act in the face of real-life ethical dilemmas.

e. *idealism*: The philosophy of ethics seeks ideals. Moral philosophy is based on

what we *ought* to do, not on what people *actually* do.

It is unlikely that any normal adult human being has never lied; it is unlikely that one exists who has never been cruel. Yet ethical theories tend to indicate that we ought not to lie, and that we ought not to be cruel. Most ethical theories are utopian in nature—they seek to present the behaviours of people in an ideal world.

Utopian visions are one method of questioning established ways and opinions (W. Nelson 10). They do not violate basic “laws” of nature—the “truths” as we experience them, yet utopian visions transcend the present social organization (Manuel 217). Utopias are rooted in a hoped-for reality, an improved vision of our existence, an inspirational glimpse of other possibilities (Patrick 108-109), but their goal is concrete and meant for *this world*.

My work falls into this category. In the pursuit of consistency, I present a protectionist ethical theory that most would consider utopian. Some argue that utopian ethical systems are useless *because* they are utopian, but many famous philosophers have proven otherwise.

Those who note that utopias do not exist in the real world are correct. The word utopia has Greek roots that mean “no place” (W. Nelson 1). Yet by visualizing a perfect world we are able to envisage a *potential* reality. Potential realities can act as catalysts to instigate change. Consequently, utopian visions have proven to be powerful instruments of reform (Manuel 217).

Utopian visions have had a tremendous impact on our world. Karl Marx offered an ideal vision—a utopian world—that had a direct, deliberate and powerful influence on human history (Berlin 1). For Marx, his utopian vision was more real than what others considered “fact” (Berlin 3), and his utopian ideals have formed the economic structure of several nations.

Gandhi, another idealist whose vision influenced the history of nations, also saw his philosophic ideal as more than a dream. He created self-sufficient rural communities where he, and hundreds of others could live his utopian vision, embracing poverty and practicing non-violence (Wolpert 295).

Gandhi argued that living up to one's own ideals is essential. Any action that is less than the ideal threatens the entire process. He taught that, even if we visualize the type of world we might like to live in, we cannot always anticipate what might be entailed in achieving that ideal end. "...Gandhi saw that we were liable to be mistaken not only about what can be done but also about the importance, in relation to our general objective, of what we are trying to do. In other words, we seldom know how our immediate objectives are related to the world that we should like to create" (Horsburgh, Non-Violence 42). As a consequence, Gandhi taught that we must concentrate on means and not ends, that means become a seed for a particular end (Horsburgh, Non-Violence 42-43); "if one takes care of the means, the end will take care of itself" (Political 60).

For Gandhi, the ideal was not to be achieved at the end, but in every action of every moment. If one acts with hostility, then a hostile environment is created; if one acts with compassion, then a compassionate environment is created. If we desire peace we must not use military force because a peaceful end cannot be achieved through violent means. Gandhi's vision includes every action as morally relevant. His idealistic philosophy has proven extremely important, not only to India, but to the civil rights movement in the United States.

Plato offers another example of idealism. He presents an ideal state in his Republic in order to elucidate the concept of justice within the individual. His utopian vision sheds light on the abstract concept of justice (Boyd 5). In the process, Plato reaches conclusions that many would consider absurd, but he maintains consistency. Furthermore, Plato fully expected that his theory not only could be implemented, but that it *ought* to be.

Thomas More also focuses on a community in order to explore an abstract idea. He uses his ideal vision to present an argument for enlightened rationality (W. Nelson 8). His book, Utopia, deals with a host of important social, political, and religious ideas (Cotterill xxxix). While it is generally assumed that More did not agree with everything he included in his utopian community (Cotterill xl), he maintained philosophic consistency in his vision, and used the extreme model that he created to playfully explore where ideas might lead (Lewis 69).

Philosophers have long offered ideas as inspiration. Their utopian visions did not exist in the real world, but their ideas have been extremely important to philosophy, to the unfolding of history, and ultimately in our daily lives. From Plato to Gandhi, idealistic visions have a long-standing place in ethics and have left an indelible mark on civilization.

Science and mathematics also demonstrated the value of pure ideas—ideas that do not exist in the real world. Concepts as simple and fundamental as the perfect triangle do not exist in actuality—but the science of geometry is built around these perfect, non-existent forms.

One of the most dramatic examples of the application of an idea that initially seemed to be purely hypothetical is the number "*i*" or "iota." In mathematics, *iota* is the square root of minus one. Algebra does not admit of a negative square root—this is impossible because any number multiplied by itself is unflinchingly positive. Yet mathematicians invented this impossible number, and found many ways to use this concept.

Many scholars now consider *iota* to be “the most remarkable formula in mathematics,” the “unification of algebra and geometry” (Feynman 22-10). Accepting *iota* as an idea, even though it was mathematically impossible, led to the development of a system called “complex numbers,” which has resulted in a plethora of innovations. Today “complex numbers” are critical to modern engineering and physics; both would collapse without “complex numbers” (Halley).

Iota is used extensively in applied mathematics and physics. For instance, today, the description of waves (how they move and spread) can be accomplished with or without the help of complex numbers. However, the description using complex numbers is shorter, simpler and includes some of the most beautiful constructions in all of mathematics. More specifically, to study the movement of electricity between the elements in radios without complex numbers, one must engage in a difficult study of the ways in which waves are shifted and distorted. With complex numbers, the problem can be set up so that all the waves seem to disappear and everything looks (from the mathematical analysis) like a simple battery and a heater. “Complex analysis, the calculus of functions of

a complex variable, is used daily in the design of aeroplane wings and electronic circuits, in complicated statistical analyses, in quantum theory and in the making and breaking of top secret military codes" (Series 139). This new system of mathematics, born of a concept that could not possibly exist in real life, has simplified certain areas of mathematics so dramatically that current work in these fields of study would be threatened without "complex numbers."

Another apt example is the science of "fractals" which was born when mathematicians were attempting to create idealized numerical "monsters." Previously, mathematics focused on sets and functions applicable to classical calculus. Irregular sets or functions "tended to be ignored as 'pathological' and not worthy of study... In recent years this attitude has changed... Fractal geometry provides a framework for the study of such irregular sets" (Falconer xiii). As one might expect, creating "monsters" with numbers was once considered an extreme and purely theoretical area of mathematics, irrelevant to real life. It did not prove to be so.

These "mathematical monsters" remained abstract curiosities until Mandelbrot discovered "fractals," and a new science was born. "The ideas of fractal geometry can be traced to the late nineteenth century, when mathematicians created shapes—sets of points—that seemed to have no counterpart in nature... [Mandelbrot] argued that many of science's traditional mathematical models are ill-suited to natural forms and processes: in fact, that many of the 'pathological' shapes mathematicians had discovered generations before are useful approximations of tree bark and lung tissue, clouds and galaxies" (Giffin). The 'abstract' mathematics that descended from these "hypothetical monsters" has turned out to be more appropriate than any other form of mathematics for describing many natural shapes and processes (Giffin). "...many of the most active uses of fractals are in physics, where they have helped tackle some very old problems and also some altogether new and difficult ones" (Mandelbrot 134).

Fractals describe things that previous branches of mathematics *could not*, such as the distribution of branches in trees and the distribution of plants on a landscape. "Cloud boundaries, mountain skylines, coastlines, forked lightning...; these, and many other

natural objects have a form much better described in fractal terms than by the straight lines and smooth curves of classical geometry” (Falconer 265). The science of fractals is now one of the fastest growing areas of *applied* mathematics. Idealized numerical “monsters” have come to explain real-world situations.

There is a documented link between pure theory and applied methods; only through exploring the limits of current boundaries can we find new answers to perplexing questions. “Very often what is introduced as an 'idealized abstraction' by one generation becomes an indispensable necessity for the next” (Halley). As demonstrated by such people as King, Gandhi, and Mandelbrot, working with pure ideas that seem to have no application in our present worldview can have tremendous practical value.

Both in the sciences and in the humanities people as diverse as Mandelbrot and Marx have demonstrated that theoretical ideals are not frivolous contrivances, but important channels for invention and intellectual progress. If we do not push the conceptual limits of our understanding, whether in mathematics or ethics, we cannot hope to discover alternative ways of understanding the earth or our ethical obligations.

f. *applied philosophy*: My dissertation does not delve into metaethics. My work explores the moral life—how we ought to live—from a utopian point of view. My work therefore falls into the category of applied philosophy.

One might reasonably argue that the only legitimate purpose of philosophical debate on moral conundrums is toward applied philosophy. Applied ethics directs philosophical thought “away from abstract debates and toward resolutions of urgent and important public controversies” (Norton, “Applied” 131). Through applied philosophy “moral theory has made incalculable practical differences” through such noteworthy people as Gotama Buddha, Marx, and Gandhi (Rollin 64). The motivating factor behind my work is the many grievous, real-life problems surrounding our current treatment of non-human animals. It has been demonstrated that “argument can prepare the ground and plant the seeds that may grow into new moral viewpoints and show anomalies in one’s ordinary perspective that ready us for the possibility of a new, revolutionary shift...” (Rollin 46).

This dissertation highlights current ethical inconsistencies in the hope that greater awareness might bring concrete change. It is *because* of my interest in applied philosophy, *because* of my hope for concrete change, that I examine philosophical theory, lifeboat scenarios, and utopian ideals.

Analytic philosophy dominates academic discourse, but entire branches of philosophy have inclined toward applied philosophy. Most notably, those areas of philosophy that deal with urgent conundrums and those that seek practical results, have focused on applied philosophy. For instance, environmental philosophy has not been contented with pure analysis, and for this reason it has had considerable influence over the way we think about the world around us, and the way we treat the environment (Marietta 3). For some, “environmental philosophy *is* environmental practice,” and the two are “as intertwined as the human and the natural” (Klaver 68, 76). Many environmental philosophers also consider themselves activists (Marietta 6).

While analytic philosophy tends to dominate in the classroom, applied philosophy has been fundamental to Western thought at least since the time of Socrates:

Here is one picture of philosophy. It goes on in an ivory tower pursued by cloistered academics who endlessly dispute the contemporary equivalents of question like “how many angels can dance on the head of a pin?” It is far removed from the “real world,” even when philosophers spin theories about what is “real.” (In the real world, everyone knows what’s real, without needing philosophers to inform or misinform them.) Here is another picture of philosophy. Socrates is hauled into court and sentenced to death—not for anything he might have done, such as sell state secrets to the Lacedaimonians or assassinate Kleon—but for questioning religious ideas and moral ideals, thus bringing about the precipitous transformation of Athenian society. In the first picture, philosophy seems socially irrelevant. In the second it seems to be the most potent force of social change imaginable. (Callicott, “Environmental” 19)

Plato’s Republic was devoted to practical ethics (N. White 2). He believed that the ideal city he described was not just the *best* possibility but a *real* possibility (Grube xiii).

Plato believed that the fruits of philosophy could only be found in real life; he was “absolutely convinced that philosophy holds the key to human happiness and welfare” (Grube xi). Because he was convinced that only through practical philosophy could the evils of society be solved, Plato believed that philosophers ought to rule, or that rulers ought to become philosophers (Republic 473 c-d). Though his ideas failed him in practice, Plato believed his ideas could be beneficially applied to an actual situation, namely that of Sicily in 368 BCE.

Like Socrates and Plato, Aristotle was concerned with applied philosophy. In Book I of Nicomachean Ethics, Aristotle states his focus: “an investigation of social and political matters” (1094b).

Rationality was extremely important to Aristotle—he believed that rationality set humans apart from all other animals, and made us uniquely human. But it was not just thinking rationally that mattered to Aristotle; humans had to *act* rationally. Reason was a guide to *leading a “good” life*. For Aristotle, it was “the very activity of living a good life that [was] in itself the end” (Ostwald xvii).

Historically speaking, Western philosophy has been applied philosophy as far back as we can trace. Still today we cannot separate philosophy from the world of action. Philosophy is a “human product,” and each individual philosophizes with more than just reason. We use our will, feelings, “flesh and blood,” our “whole soul and... whole body” (Stern 6). Philosophy is only partly thought, it can result in concrete action that affects our lives and our world.

Existentialism carried the idea that the whole person must be engaged in the task of applied philosophy. Existentialism taught that each individual is responsible for asserting her own destiny (Whal 22), which made philosophical questions “personal, urgent, and anguished” (Blackham 152). Existentialism teaches that philosophy is critical to each individual’s life, and that existentialism ought to be used “in facing the decisions of our personal lives and the problem of our civilization” (Blackham 165).

Kierkegaard referred to Existentialism as the “philosophy of existence” (Whal 1). He “insisted that philosophy should not be abstract, but based on personal experience,” the

basis of each individual's life (Roubiczek 55). Existential philosophy is connected with one's own life experience, is lived in an historical context, in a particular situation. Existential philosophy "is a way of life... capable of being lived" (Roubiczek 10).

The existentialist, Marcel, taught that existence is "not a problem to be mastered... but a mystery to be lived and relived" (Blackham 152). Heidegger encouraged living a life of transcending, passing beyond, rising outwards "towards the world, towards the future, and towards other people" as the proper end toward which we are all directed (Whal 15). His moral theory requires a "resolute decision," by which we assume responsibility for our own destiny (Whal 26-27).

Jaspers and Sartre also taught that philosophy must move beyond ideas to concrete action. Sartre wrote, "Commit yourself!" (Heinemann 129), "there is no reality except in action," and each of us is no more than the life we live (Odajnyk xi). Existentialism is a philosophy that means little or nothing if it is not applied philosophy.

Marxism, measured by its "power of action" (Odajnyk 86), also offers a model of applied philosophy. Marx believed that the point of his philosophizing was no less than to change the world (Odajnyk 59). "The first commandment of Marxist morality consists in this: to participate with all strength in the struggle of the proletariat whose class assignment is identical with the liberation of all mankind" (Odajnyk 127). The philosophy of Karl Marx has been applied by millions of people, has had tremendous affect on the unfolding of history, and continues to determine political, economic, and social aspects of the world in which we live.

Martin Luther King also engaged in applied philosophy. He taught that there was no morally relevant difference between African Americans and Caucasians, and that as a consequence they ought both to be covered by the same ethical system. This change was difficult to realize because it required great financial sacrifices and tremendous lifestyle changes for those in power. But this more consistent application of ethical protection was accomplished in the real world, based on an extension of an ethical theory across races because they were similar in morally relevant ways: African slaves can suffer emotionally and physically from abuse and deprivation just as surely as Caucasians. Slowly but surely

we recognized that all people ought to be protected if Caucasians were protected, but this philosophical truth would have seemed comparatively irrelevant if it had not become applied philosophy.

Western philosophy has had a significant element of applied philosophy, philosophy intended to affect how people behave in the world for at least 2300 years. The Ancient Greeks, existentialists, Marx, and King advocated applied philosophies that influenced the lives of many individuals, communities, and even nations. Recently, philosophical discourse on our relation to other animals and the environment has had a significant effect on the way we view the world around us (Marietta 10).

While I present a utopian theory in Chapter Five, my dissertation is fundamentally one of applied philosophy, aimed at real-life issues and practical change.

g. across disciplines: Applied philosophy is dependent on our “knowledge” because human “facts” are relevant to how we behave. Consequently, applied philosophy requires that we combine these “facts” with philosophical speculation in order to determine the best course of action. Applied philosophy asks: *Given our understanding of the world around us*, what ought we to do?

Most modern philosophers agree that one cannot derive an “ought” from an “is.” However, there is considerable consensus that certain “facts” are critical to any determination of the best course of action. For instance, if biology indicates that spotted-tailed quolls are capable of suffering, and ethics indicates that causing others to suffer is morally abhorrent, then we ought not to cause spotted-tailed quolls to suffer. However, if science indicates that the spotted-tailed quoll is incapable of suffering, then this ethical teaching is irrelevant with regard to the spotted-tailed quoll. In this instance, the knowledge of biologists is critical to moral assessment. If chemists determine that our water is polluted, then moral philosophy asks what we ought to do with regard to this information. Similarly, the conditions and activities in laboratories and factory farms are morally relevant “facts.”

Consider the moral dilemma entailed in patenting other animals. This issues involves genetic engineers, religious and secular values that have shaped our policies and

morality, biological understandings of pain and suffering, and the economic forces involved (Orlans 100). Experts and available information in each relevant field of study are critical to answering moral questions. My dissertation asks, given the current state of affairs with regard to animals in the Western world (a “fact”), what ought we to do?

One need not be a specialist to apprehend the “facts” that are relevant to many moral decisions. For instance, if we know that an infant is cold, and that the parent is nearby, these facts lead most of us to the conclusion that the parent ought to warm the child. Similarly, if someone were stuck in quicksand, most people would agree that those nearby ought to free the one stuck. However, additional facts might alter our conclusion. For example, if the one stuck in the mud was not in danger of death, and was an escaped convict, perhaps one ought to leave the convict until authorities arrive.

While facts cannot be depended on to lead us to clear ethical conclusions, we can and do reach ethical decisions based on certain assumed “facts.” Facts often constitute minor premises for ethical discourse while the philosophy of ethics supply the major premises. Both are important.

Furthermore, in order for philosophical assertions of “ought” to be applicable, they *must* be informed by our larger understanding. If they are not aligned with how we perceive our world, our ethical assertions are irrelevant to the world in which we live, and irrelevant to each of us. In order to shape values and guide actions, applied ethics must be based on relevant information from other fields of study. Because general information and “facts” from other fields of study are important to ethical decisions, my dissertation involves several fields of study.

Our worldview is developed partially by the fields of study we are introduced to in school. These schools of thought are, in turn, affected by our worldview, which is shaped by such things as education, upbringing, and cultural context. Worldviews are “an ever-changing complex of beliefs, values, feelings, desires, and expectations that affect the way a person sees the world and how that person feels about things in the world” (Marietta 8). They make us who we are—and determine how we behave. Worldviews “work behind the scenes,” subtly, bringing us to a certain point of view or attitude, even though most of us

are unaware of our particular worldview (Marietta 8). Moral norms depend on a “cognitive context,” or worldview, and our behaviour reflects this worldview (Callicott, “Environmental” 25).

For instance, in Western societies “deeply entrenched traditions support the notion that animal welfare must bow to the best interests of humans” (Lauerman 49). Various factors have been critical in the development of this entrenched position, and these various factors must be examined if we are to reassess our ethical standards. Therefore, an examination of ethical conduct must not be done in a vacuum.

In our culture, an examination of ethics and animals might need to consider information collected by zoologists, biologists, and sociologists. Each of these fields of study would be considered important to an exploration of protectionist philosophy because we must understand something of our biological and social nature, and that of other animals, if we are to assess ethical obligations with regard to people and other animals. If we have no information regarding other animals, we cannot determine whether or not they are sentient, or whether or not they mind if we eat their young for dinner.

Each of the theories discussed depends on the expertise of other disciplines: social science, biology, religious studies, and environmental ethics. Regan and Taylor discuss rights, a discipline most commonly linked with the social sciences. Each philosopher discusses the biological nature of various living entities. Each theory discussed is linked with environmental philosophy. Regan states that the conditions for the ascription of rights in his theory are not necessary but merely sufficient conditions: his work opens the doors for more expansive theories that might include a plethora of living entities. Linzey’s theological protectionist theory offers metaphysical backing for a *wholly comprehensive* environmental theory, where all of creation is treated with self-sacrificing service out of respect for the intentions of a divine creator. Taylor, an environmental philosopher, offers an overtly environmental theory.

In examining our relationship with other animals, including our ethical obligations and the legal status of animals, we cannot reasonably ignore the importance of other disciplines, such as ethology and theology. While the biological links are readily apparent

in our science-oriented culture, links with religion are often more difficult to see, yet faith and scripture are critical to moral attitudes and practices—and have been for thousands of years. Our attitudes toward nature and other animals are deeply conditioned by beliefs about our nature and destiny—that is, by religion” (L. White 23). While many modern Westerners may not ascribe to any particular religion, our culture and our beliefs are rooted in Christian history and practice; “religion arose on a foundation of ethics” (E. Wilson 65). An understanding of our deep-rooted religious beliefs, and of the religious influences imbedded in current laws and practices, is critical to any examination of our relations with the rest of “creation.” Understanding the moral influence of religion is central to assessing protectionist ethics.

Applied philosophy cannot ignore the force of centuries of religious influence. For Christians or Jews, a protectionist examination of the Hebrew Bible and New Testament is especially important; scriptures are central to their determination of ethical obligations. For a practicing Christian, Jew, or Hindu, scriptures are often more important than *any* biological or philosophical inquiry or assertion. This is true for most people committed to faith-traditions.

The historical effects of centuries of theology, how scripture and religious dogma continues to hold sway over societal beliefs and actions—even in secular societies—cannot be ignored by applied philosophy if we expect to fully understand current ethics. Religious traditions are an unavoidable part of our ethical systems, our worldviews, and our legal systems, whether or not we are religious. One who seeks an honest assessment of our ethical practices must be mindful of deep-rooted, historic beliefs based on traditional religious teachings. Consequently, one of the protectionist scholars I examine is a theologian.

We determine “facts” about the world around us via such channels as mathematics, science, scripture, art, and our senses. All of these are important to apprehending the world around us, from which we derive our understanding of what we ought to do. However, these fields of study, and our senses, cannot *determine* what we ought to do. Mathematics, science, and our senses can only aid us in the philosophic process by offering

information for consideration. Applied philosophy is dependent on other fields of study for their particular expertise.

i. *casuistry*: Casuistry is a method of moral discourse that reflects on actual problems in specific instances, examining problems in light of relevant accepted maxims and similar cases from the past, in order to reach an informed moral judgment regarding that particular situation (Jonsen 1991). The word casuistry comes from the Latin *casus*, which means 'case.' Casuistry is therefore the study of cases.

Casuistry resolves moral problems in specific situations by applying general principles of ethics, religion, or moral philosophy to particular, concrete cases. It is often necessary to determine degree of guilt and responsibility by weighing all the circumstances of the case, especially motive and consent (Runes 46). In turn, that particular moral dilemma becomes part of the case history, the precedent, with which other moral judgments are made in similar cases in future situations.

Casuistry is important to my work for three reasons:

- casuistry focuses on particular circumstances in specific situations
- casuistry is dependent on like cases being treated in a like manner
- motive and consent are important moral considerations

First, casuistry avoids the abstractions common in moral theories, and acknowledges the importance of the individual case in moral reasoning and practical application. “Casuists are skeptical of principles, rules, rights, and theory divorced from history, circumstance, and experience. One can make successful moral judgments... casuists say, only when one has an intimate understanding of particular situations and an appreciation of the record of similar situations” (Orlans 43).

Second, casuistry assumes the principle of equality, whereby comparable instances are treated in a comparable manner, and the principle of universality, whereby a decision made in one instance will hold for all comparable cases (Buning 20). Casuists *reason* from one particular *case* to another that is similar in morally relevant ways. Certain cases set a precedent by which other similar cases will be judged in future instances. “The casuistic method is to start with cases whose moral features and conclusions have already been

decided, and then to compare the salient features in the paradigm case (that is, the case with morally settled dimensions) with the features of cases in need of a decision” (Orlans 43). All things being equal, a case of theft ought to be treated like another case of theft. One who steals an ear of corn ought to be treated the same as one who steals an eggplant, all things being equal.

However, all other things are seldom equal, which leads to the third element of casuistry that is important to my work: motive and consent are critical. One common philosophical conundrum is the thief who steals to feed the starving. Let us assume that the one who steals the ear of corn does so simply because she does not want to pay for her food. In contrast, the one who steals the eggplant does so to feed her starving husband, who is too ill to fend for himself, and she is too poor to buy food. Casuistry acknowledges the morally relevant difference between a thief who steals out of indifference or for self-gain, and one who steals for a higher ideal—in the hope of preserving life. No one argues with the maxim, “stealing is immoral,” but casuistry acknowledges the importance of circumstances, motive, and intent in assessing morality.

4. *Goal.*

I caution readers to understand and remember my goal as they read my work: My dissertation is not a presentation of my own personal theory. *My work addresses a flagrant moral discrepancy between what is morally permissible amongst people, and what is morally permissible between people and all other forms of life.*

In the first four chapters I analyze leading protectionist theories. I then use these theories as a springboard from which to launch:

- an expanded spiritual vision that emphasizes consistency across religious traditions in protectionist morality.
- a protectionist theory based on the consistent and impartial application of current Western morality amongst human beings, which therefore extends current Western morality intended solely for human beings to all non-human entities that have not been proven to be different in any morally relevant ways.

The latter might easily be construed as my personal theory, but it simply represents

one possible method of removing the extreme moral discrepancy that exists between current Western ethics amongst humans as opposed to current Western ethics between humans and all other animals.

After creating a theory that extends current Western ethics amongst human beings to all living things that are similar in morally relevant ways, I apply this moral theory to current ethical dilemmas and lifeboat scenarios, always with intent maintain consistency and impartiality. The consistent application of this ideal across species offers insights into the viability (or lack of viability) of this contemporary moral ideal. Thus, Chapter Five explores one way we might eliminate the current moral discrepancy that I highlight throughout my work. At the end of my dissertation other possible solutions are briefly presented and discussed.

Please note that *the theory I present is not my personal theory, but a consistent application of extant morality*. My work merely maps out what this ethic would look like if applied consistently to all entities that have not been demonstrated to be distinct in any morally relevant way.

Although my dissertation offers a critical analysis of the most well-known and well-respected protectionist theories available, ultimately I hope that my dissertation affirms the value of the contribution each of these scholars has made to our ongoing quest for a more consistent, compassionate morality.

I. TOM REGAN: ANIMAL RIGHTS

A. *Regan's Right's View.*

Tom Regan proposes the "Rights View," in which he asserts that certain animals have basic rights that ought not to be disregarded. He asserts that normal mammals aged one year or more have a welfare, which is necessary for all subjects-of-a-life that have equal inherent value. He outlines several well-respected philosophical guidelines for assessing moral theories, which he uses to test his Rights View: consistency, impartiality, and conformity with reflective intuitions (Case 190).

Regan avoids speciesism in its most flagrant forms by identifying and discussing moral agents, moral patients, and subjects-of-a-life. Through these creative and well-thought-out distinctions Regan avoids typical speciesist divisions between "human beings" and "animals," and discusses a range of morally relevant characteristics *across* species.

1. *Inherent Value.*

a. *the cup itself*: Regan bases animal rights on the inherent value of certain individuals. Inherent value is not based on experiences, aptitude, or any other acquired or innate *characteristic*. Regan uses the analogy of a cup to illustrate his point: like a cup filled with various items, the *cup itself* is what matters, not the contents. If an individual is of value, Regan postulates, she is of value in and of herself—she is both the source and the locus of inherent value. To have inherent value one need only *be a cup* (Case 236-7). Inherent value is not dependent on what others prefer, or on any particular qualities possessed. Inherent value cannot be earned or lost.

Regan argues that if the contents—aptitude or experiences—are what offer value to an individual, that entity becomes a "mere receptacle" for those qualities. When humans are viewed as empty cups with valuable ingredients, such as "virtues," then those who are more gifted, or more active, have comparatively higher value. Regan denounces

this “perfectionist” approach (Case 233) because it runs against reflective intuition, one of his basic measures of assessing ideal moral judgments (Case 235-6).

b. *reflective intuition and perfectionist criterion*: “Reflective intuition” requires that we apply an informed, critical eye to all intuitions. Perfectionism is fundamentally undesirable to our basic intuition. (Perfectionism is when one assigns various degrees of inherent value based on acquired or biological attributes of the individuals involved. Regan cites racism and sexism as examples of perfectionism in action. Regan writes that informed intuition leads one to reject valuing moral agents based on perfectionist attributes such as intelligence or earned income.) Regan concludes that inherent value must be based *on the cup itself* (the individual), and *not on the items inside the cup* (aptitude, skin color, experience, length of toes, income, education, etc.)

c. *equality of inherent value*: Regan asserts that if individuals have inherent value, they all have it equally. Having rejected perfectionist criteria, all those who have inherent value must share this attribute equally. There can be no entity that is more or less inherently valuable than another. He argues that moral intuitions warn us that degrees of inherent value are perfectionist, and have led elitist attitudes such as those held by slave owners or members of the Ku Klux Klan.

2. *Welfare.*

Regan argues that certain individuals have a welfare: they fare well or ill depending on how their interests are benefited or harmed during the course of their lives. In the Rights View, all animals (normal mammals aged one year or more—including people) have a “welfare.” Regan agrees that humans have more numerous and varied possibilities than other animals, but

[b]oth animals and humans have preference-and welfare-interests, some biological, some psychological, some social; both may be benefited or harmed and, if the latter, harmed either because of what they are made to experience (harms as inflictions) or because of what they are denied (harms as deprivations); both have lives that are characterized by pleasure or pain, satisfaction or frustration; and the overall tone or quality of the life of each, to a greater or lesser degree, is a function of the

harmonious satisfaction of those preferences that it is in the interests of each to have satisfied. (Case 119)

a. *psychophysical identity*: Regan explains that animals with a welfare have a “psychophysical identity.” This means that normal mammals aged one year or older have desires, beliefs, and the ability to act; they have “preference autonomy” (Case 116) which entails wants, desires, and preferences which each strives to fulfil.

b. *preference autonomy*: Regan offers examples of preference autonomy in other animals. A dog will choose between different types of food, or between various activities, selecting the option that best satisfies her wants (Case 85). Dogs also avoid what they do not prefer. For instance, Regan would probably agree that a dog presented with both a rolled up newspaper used for punishment and a leash used for dog-walks, would most likely move *away* from the paper roll and *toward* the leash. The newspaper roll elicits dog-behaviour indicative of avoidance and displeasure, such as cowering or slinking away; the leash is greeted with enthusiasm displayed through tail wagging, prancing, and jumping up and down. The dog’s actions demonstrate a preference for the leash and distaste for the rolled up paper. Predictably, the dog would rather go for a walk than be punished. She demonstrates her belief that the leash will satisfy her wants, whereas the newspaper will not. In either case the chosen option will elicit behaviour identifiable as either joy or unhappiness, satisfied wants or thwarted desires. Dogs indicate their preference, and thereby demonstrate “preference autonomy.”

c. *benefits and harms*: In Regan’s theory, welfare is determined by “benefits” and “harms.” In the above case the dog benefits by going for a walk if her biological, social, and psychological interests have been satisfied, and if her interests are *genuinely good for her*. (Obviously, if there is no safe place for the dog to walk, then going for a walk is not in her best interest. Other examples of interests that are not genuinely good for the individual are when a dog wants chocolate, or when a pony wants unlimited grass, which is usually deadly in the pony’s case.) Under Regan’s definition, if most of the time a dog is given what she prefers, and if what she prefers is good for her, she is living well, and will

display behaviour indicative of pleasure and satisfaction.

For an animal that has a welfare, Regan asserts:

To live well is to have a life that is characterized by the harmonious satisfaction of one's desires, purposes, and the like, taking account of one's biological, social, and psychological interests. More generally, animals (including humans) live well relative to the degree to which (1) they pursue and obtain what they prefer, (2) they take satisfaction in pursuing and obtaining what they prefer, and (3) what they prefer and obtain is in their interests. (Case 117)

As revealed above, harms can be either inflictions or deprivations (Case 94). The random, harsh use of the newspaper on a dog would most likely qualify as an *infliction* of harm, while repeatedly neglecting to walk the dog would be viewed as harm through *deprivation*. In either case the animal's welfare is diminished.

3. *Moral Agents and Moral Patients.*

Regan distinguishes between moral agents and moral patients. Moral agents are morally accountable for their actions, and so are “justly and fairly held accountable for their deeds” (Case 152). In contrast, moral patients lack the ability to understand or execute moral behaviour. Therefore moral patients cannot do right, nor can they do wrong (Case 152). A variety of animals including human infants and imbeciles fall into the moral-patient category. Regan assumes that “normal adult humans are moral agents” (Case 152).

a. *inherent value*: Regan asserts that both moral patients and moral agents have inherent value. To grant inherent value only to moral agents would violate the basic philosophical principle of consistency and impartiality, which requires that like cases be treated in like manner (Case 190). Inherent value is granted to moral agents *without regard for experiences or aptitudes*, therefore it would be inconsistent and arbitrary to use the criteria of experience or aptitude in order to exclude moral patients:

Since the inherent value of moral agents does not wax or wane depending on *their* comparative

happiness or *their* total of pleasures-over-pains, it would be arbitrary to maintain that moral patients have less inherent value than moral agents because *they* (i.e., moral patients) have less happy lives or because *their* total of pleasures-over-pains is less than that of moral agents—even if this were true... Morality will not tolerate the use of double standards when cases are relevantly similar. If we postulate inherent value in the case of moral agents and recognize the need to view *their* possession of it as being equal, then we will be rationally obliged to do the same in the case of moral patients. *All* who have inherent value thus have it equally, whether they be moral agents or moral patients. All animals *are* equal, when the notions of 'animal' and 'equality' are properly understood, 'animal' referring to all (terrestrial, at least) moral agents and patients, and 'equality' referring to their equal possession of inherent value. Inherent value is thus a *categorical* concept. One either has it, or one does not... Moreover, all those who have it, have it equally. (Case 240)

b. *welfare*: Both moral patients and moral agents have a welfare. Both fare poorly or well depending on the fulfilment of interests—their welfare is harmed and benefited during the course of their lives. Moral patients, like moral agents, have a welfare that can be harmed in similar ways. Because they can be harmed in similar ways, impartiality and consistency require that both moral agents and moral patients be protected if either one is to be protected (Case 189).

Regan finds that welfare reveals an important similarity between non-human animals and humans, between moral patients and moral agents—a similarity that is critical to understanding each (Case 84). In Regan's view elements that constitute a good human life "over and above considerations of basic biological needs," have a counterpart for other animals (Case 90). Although Regan states that the opportunities for satisfaction are more varied and numerous for human beings, other animals can be harmed in relevantly similar ways, and the welfare of other animals carries important moral implications. Regan concludes that it is wrong for humans to do to another animal "what he or she does not want done," and the immorality of such an act is not lessened "if our victims are non-rational, or not morally autonomous. What difference does it really make whether or not they have or could have a principled objection to our behaviour? If they have no will in

the matter I do not violate their will, but I clearly violate their wishes" (Animals 77).

c. *moral considerability*: Even if individuals cannot rationally articulate distaste for what is done to them, even if they cannot make moral decisions, an entity with a welfare ought to be accepted as morally considerable. Regan asserts that we ought to consider how a given action will impact all mammals that have a welfare—not just human beings ("Nature" 9). If we are to be consistent, all beings with a welfare ought to be taken into account if we are to consider *any* beings with a welfare. To do otherwise is to go against basic guidelines for moral theories; to do otherwise is to be inconsistent and partial. "We have a prima facie direct duty not to harm any relevantly similar individual who can be harmed" (Case 193-4). Morality requires that we assess the loss of each individual equitably if we are to honour "equal inherent value and the equal prima facie right not to be harmed" of all subjects-of-a-life (Case 325). In the course of making decisions that might affect welfare, we must consider all entities that have a welfare and therefore might be affected.

In the Rights View both moral patients and moral agents have a welfare and both therefore have equal inherent value (Case 239). But how might we determine which individuals do *not* have inherent value?

While both moral agents and moral patients have life," Regan sees problems with this criterion: how can we have duties to "individual blades of grass, potatoes, or cancer cells... lawns, potato fields, or cancerous tumors?" (Case 241-242). Regan asserts that beings with inherent value must share some "relevant similarity between them that makes attributing inherent value to them intelligible and non-arbitrary" (Case 241). This criterion must not vary between individuals, "since that would allow their inherent value to vary accordingly" (Case 241).

4. *Subject-of-a-life*.

Regan postulates "subject-of-a-life" as the relevant similarity that grants an individual equal inherent value:

To be the subject-of-a-life is to be an individual whose life is characterized by... beliefs and desires;

perception, memory, and a sense of the future, including their own future; an emotional life together with feelings of pleasure and pain; preference-and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them, logically independently of their utility for others and logically independently of their being the object of anyone else's interests. Those who satisfy the subject-of-a-life criterion themselves have a distinctive kind of value—inherent value—and are not to be viewed or treated as mere receptacles. (Case 243)

Regan admits that there may be many who do not fit the subject-of-a-life criterion who ought to be acknowledged as having inherent value (such as new-born and severely retarded humans), and that these exclusions run against our reflective intuitions. Consequently, he poses “subject-of-a-life” merely as a *sufficient* condition for equal inherent value, not as a *necessary* condition (Case 246).

Regan limits his scope of ethical protection to “normal mammalian animals, aged one year or more” (Case 190), all of which he asserts are subjects-of-a-life. (When he refers to “animals,” this is the category to which he refers.) He justifies this particular division not because creatures that fall outside this category are logically excluded from having rights, but because he finds that the rights of those within this category can be clearly justified based on definable, morally relevant traits.

5. *Harm Principle.*

Based on equal inherent value for all subjects-of-a-life, Regan derives the “harm principle” (Case 262-263). The “harm principle” requires that we treat subjects-of-a-life in ways that show respect for their inherent value. Regan’s “harm principle” states that individuals who have equal, inherent value also have a welfare and are due the *prima facie* right not to be harmed (Case 186-7). Regan’s “harm principle” demands that a subject-of-a-life never be treated merely as a means to an end. Moral agents have a duty to treat subjects-of-a-life justly, and to assist them if their inherent value is not respected (Case 249).

The harm principle, a principle that sets forth a prima facie direct duty not to harm either moral agents or patients, can be derived from the respect principle... when we note that (1) those individuals who satisfy the subject-of-a-life criterion are individuals who are intelligibly and non-arbitrarily viewed as meriting respect because they are intelligibly and non-arbitrarily viewed as possessing inherent value, and that (2) as subjects-of-a-life, all have an experiential welfare. Prima facie, therefore, we fail to show respect for these individuals when we do anything that harms them. (Case 264-5)

a. *Subjects-of-a-life*: In Regan's Rights View, subjects-of-a-life hold the prima facie right to not be harmed; this right carries a duty for human moral agents. Normal mammals aged one year or more are subjects-of-a-life and therefore have the moral right—or valid claim—to be treated with respect. The right of a subject-of-a-life not to be harmed is universal, which is to say that it is held by all “relevantly similar individuals” (Case 327) and can only be overridden by appeal to a valid moral principle. Regan's “*respect principle*” grants equal respect to all those who have equal inherent value and thereby avoids arbitrary or inconsistent determinants of value. Regan's thoughts might be summarized as follows: *Subjects-of-a-life can be harmed, and are therefore due inherent respect, which requires that they not be treated as means to an end. Moral agents have a corresponding direct duty to respect the unacquired moral right not to be harmed held by all subjects-of-a-life, and to aid subjects-of-a-life whose basic right to respectful treatment is violated* (Case 249).

b. *death*: Because deprivation constitutes harm, bringing about an untimely death is a tremendous harm in the Rights View. Death “forecloses *all* possibilities of finding satisfaction” (Case 100). Even a *painless*, purposeful death is a loss, and thereby a great harm to the deceased, if it is untimely. Death may be brought to another without constituting harm only if

- euthanized animals are killed by the least painful means available;
- they are killed in the true belief that death is in their interests; and
- they are killed out of concern for them and for what is in their interests (Case

119).

6. *Overriding Rights.*

Regan identifies and makes ethical decisions regarding three instances in which a subject-of-a-life's prima facie, unacquired right not to be harmed may be overridden

a. *miniride*: The "miniride principle" (from "minimize overriding principle") asserts that the rights of the few may be overridden for the rights of the many, all things being equal.

For instance, if one miner is trapped in a shaft, and will be killed if explosives are used to free fifty other miners (who are also trapped), the one ought to be killed if only by killing the one will the fifty be saved. The miniride principle indicates that we ought to act to save fifty miners at the expense of one. *Morality requires that we override a minimum of rights* (Case 307): it is better to override only one individual's right not to be harmed than to override the same rights for fifty people.

b. *worse-off*: The "worse-off principle" allows the rights of the many to be overridden for the rights of the few if "the harm faced by the few would make them worse-off than any of the many" (Case 328).

If one choice of action will *destroy* an individual's life while a second choice will simply make another person *uncomfortable*, then the first person's life should be spared and the second allowed—or even caused—to suffer. Similarly, if one thousand people would be caused to suffer by saving a single individual, then it is the best option to *cause more—even one thousand—to suffer lesser harms than to severely harm one individual* (Case 308-9).

What if one had to choose between creating an explosion that would kill a single miner and rescue fifty, or slowly digging the trapped people out over the course of a week—even though they would be without food during this time? Regan's Rights View seems to indicate that the fifty ought to suffer the harm of hunger for one week in the hope that one might avoid the harm of death. Hunger is a lesser harm for each of the fifty than death is to the individual in the adjacent shaft.

c. *loss of innocence*: Regan adds a further mitigating principle for the prima facie

right not to be harmed: “those who forge, as well as those who perpetuate injustice are not on the same moral footing as their innocent victims” (Case 323). Retributive action is permissible. One who has sacrificed their “innocence” has simultaneously lost their equal right not to be harmed.

Regan extrapolates from the example of the fifty people trapped in the shaft to illustrate loss of innocence. If the fifty people had forced the single individual into the shaft “because they believed they might reap some benefits from his forced labor,”

the fifty have lost their claim to be protected by the application of the miniride principle, assuming all involved face *prima facie* comparable harm. Or, again, if the lone miner happened to be an orphaned, unloved, retarded slave, while the fifty were highly intelligent, loved, and respected slave-owners, the fifty would have no valid claim to the protection afforded by the worse-off principle, despite the greater *prima facie* harm death would be for each of them when compared to the harm death would be for the enslaved miner. (Case 323)

Regan explains his allowance for loss of innocence: without an exemption for those who have acted immorally, the miniride and “the worse-off principle would allow the rights of those who perpetuate injustice to override the rights of their victims,” but “reflective intuition tells us that no account of justice and individual rights that allows this can be sound” (Case 323).

Summary

The Rights View asserts that normal mammals aged one year or more are subjects-of-a-life that have a welfare, which indicates equal inherent value. Regan asserts that all subjects-of-a-life have the right not to be harmed, based on the respect principle, which respects those individuals that can be harmed and their preference not to be harmed. Impartiality requires that all subjects-of-a-life, regardless of species, be granted the right to be protected from harm, except in extenuating circumstances.

Regan’s Rights View is detailed and far-reaching. He provides thorough, solid ground on which to base animal rights, and he includes detailed criteria to offer guidance

in diverse situations. Regan's Rights View remains the most comprehensive philosophical protectionist argument based on rights.

B. Discussion.

Regan's methods and some important terms require further investigation, as well as some possible undesirable consequences of the Right's View.

1. Methods.

a. *moral intuition*: Regan includes moral intuition amongst his tools of philosophic reasoning. Moral intuition is not to be confused with intuition in its more general usage. Moral intuition is not a hunch, or vague inner feeling. Moral intuition in the philosophical sense refers to those principles taken to be universal moral truths, such as "do not steal."

Regan uses a very *qualified* intuition, but intuition remains subjective.

if appeal to intuition is to be a *test* for the truth... of a proposed moral principle, then it is a test such that two mutually contradictory proposed moral principles could each pass it. ...It's the *test* that is shown insufficient by this possibility... once we allow that people of good will and judgment can both be wrong, we have admitted that appeals to good will aren't enough, if what we are looking for is the truth. (Narveson, "On a Case" 34)

Whereas Regan indicates that certain actions are consistent with his moral intuition (for instance, "special considerations," as discussed in the final section of this chapter), those same acts are consistent with *my* moral intuition. If we are seeking one conclusive determination, moral intuition is inadequate to the task, then moral intuition fails us.

Moral intuition has helped human beings support a *status quo* that today seems highly immoral. For instance, it was once the common moral intuition that the man ought to be the head of the house, the one obliged to make important decisions for the entire family, while the woman ought to comply with and accommodate the husband's decisions.

Common moral intuition once held (and for many people still holds) that people of other faiths ought to be systematically brought into the Christian fold. While moral intuition in India once indicated that caste ought to be respected and protected, the Western world was shocked by this human categorization. Although much of the Western world feels that women ought to cover their breasts in public, many African peoples do not. Moral intuitions are not always dependable, and they are subject to change.

...the radical subordination of certain *human* interests (those of 'natural slaves') seemed intuitively innocent and natural to Aristotle, and, as J. S. Mill noted in The Subjection of Women, it is a standard mark of a deeply held prejudice that it seems perfectly *natural* to the one who holds it. There is always the danger of accepting only those principles which are compatible with our prejudices. (VanDeVeer, "Interspecific" 77f)

Where animal issues are concerned, the moral compass has scarcely moved. It is a common moral intuition that, "even if the choice were between a thousand animal lives or one human life, most people would not doubt that it is right to save the human" (Singer, "Animals" 222). Regan's common moral intuition seems to lead him to a conclusion that many protectionists would reject.

Intuition is not a dependable moral indicator because it is not objective. We cannot hope to find reliable moral guidance through our subjective intuitions (McGinn 94). Intuition is at best tenuous, at worst dangerous, as a moral compass.

b. *defining terms*: Regan's Rights View requires, as a sufficient condition for equal inherent value, that one be a "normal" mammal aged one year or more. Regan does not discuss or define his use of "normal."

Are animals with schizophrenia, transvestites, and those who have had cosmetic surgery to remove wrinkles, shorten tails, or make ears more pointed normal or abnormal? If one is missing their left nostril, can they be considered a normal adult? What if they are missing memory or lacking in compassion? There are myriad of levels of intelligence, psychosis, memory loss, and deformity that must be categorized to determine which

creatures qualify as “normal.”

The concept of “*harm*” is also important to Regan’s work. In the Rights View, levels of harm are determined by the thwarting of one’s opportunities for satisfaction. The greater the opportunity for satisfaction for such things as desires and preferences, the greater the harm through loss of life. Opportunities for satisfaction indicate the amount of harm entailed in death, and life and death decisions are based on these levels of harm.

Regan discusses aspects of harm thoroughly, but understanding “harm” in Regan’s work is complicated by his use of the term. He submits that he has no objection to any “use” of animals that does not “harm” them. He adds that it is “not only the pain and suffering that matters—though they certainly matter—but it is the *harm* done to the animals, including the diminished welfare opportunities they endure... *and* their untimely death” (Case 388). Is it possible to “use” another entity and do no harm? Regan seems to indicate that this is possible, though he offers no examples.

Essentially, this becomes a question of whether or not other entities ought to be used as means to an end, or whether they ought only to be viewed as ends in and of themselves. It seems inconsistent with Regan’s respect principle, based on the inherent value of subjects-of-a-life, to use them as means—even if we could do so without harm.

2. *Central Concepts.*

a. *opportunities for satisfaction:* Regan’s application of opportunities for satisfaction seems to be based on nothing more than species, entails epistemological problems, and seems misguided in its focus on possible (rather than likely, or actual) opportunities for satisfaction. Additionally, Regan’s assessment of opportunities for satisfaction seems perfectionist.

Regan asserts that the harm brought through death is a function of foreclosed “opportunities for satisfaction” (Case 324). He determines the level of harm “based on assessing the losses each individual faces and assessing these losses equitably” (Case 325).

In the Rights View, levels of harm through death are determined by opportunities for satisfaction. Thus, opportunities for satisfaction indicate which creatures ought to live, and which must die. But Regan’s assumptions regarding opportunities for satisfaction are

based solely on species and are epistemologically problematic.

Regan assumes that a certain quality, a certain level of opportunities for satisfaction, are inherent in normal, adult human life but absent in all other species. He states that, “sources of satisfaction available to most humans are at once more numerous and varied than those available to animals” (Case 119). This distinction appears to be made solely on the basis of species. Regan offers no justification for this assumption, nor does he explain what these numerous, exclusively human sources of satisfaction might be.

Hinging protectionist theories on an assessment of mental states and physical conditions—intelligence, psychological harm, stress, satisfactions available—is common in protectionist theories. However, this assumption raises complicated epistemological concerns.

Regan offers this assumption and reaches the following conclusion: “All on board have equal inherent value and an equal prima facie right not to be harmed. Now, the harm that death is, is a function of the opportunities for satisfaction it forecloses, and no reasonable person would deny that the death of any of the four humans would be a greater prima facie loss, and thus a greater prima facie harm, than would be true in the case of the dog” (Case 324). While Regan does not directly state that all normal adult humans have greater opportunities for satisfaction than all normal adult dogs, his conclusion reveals this assumption. Regan concludes that it is right to preserve normal adult human life at the expense of normal adult dog life. “To save the dog and to throw any one of the humans overboard would be to give to the dog more than is his due. It would be to count the lesser harm done to the dog as equal to or greater than the greater harm that would be done to any of the humans if one of them was cast overboard” (Case 324).

Because Regan assumes that a certain subject-of-a-life has fewer opportunities for satisfaction based solely on species, Regan seems to assume that any normal adult dog will suffer less harm through death than will be suffered by any normal adult human. He forfeits the dog’s right to life in preference for the four humans, and he would do the same to 4000 dogs to save the same four humans. In the Rights View, a normal, adult dog will always be sacrificed rather than a normal adult human being.

There are epistemological difficulties entailed in comparing opportunities for comparing satisfaction. We cannot hibernate, enjoy the savory taste of well-rotted carrion, or dash up tree-trunks. How much opportunity for satisfaction do these represent? We cannot burrow through a decomposing log or participate in the mating rituals of the blue-footed boobie. How can we weigh these possible sources of satisfaction against eating popcorn at the theater, finding the perfect shoe at a reasonable price, or participating in human mating rituals? Even though we can swim, does swimming offer human beings as much satisfaction as it offers an otter, a polar bear, or a dolphin?

It is common in the West to assume that "...the prospects of satisfaction are qualitatively and quantitatively greater for human beings than for animals" (VanDeVeer, "Interspecific" 70-71). Regan, like most protectionists, believes that there is something about the human condition that makes our lives more valuable.

Value is the "relative worth, or importance" and also as "the worth of something in terms of the amount of other things for which it can be exchanged" (Webster's). Regan does not speak of value, but he values the lives of normal adult humans more highly than those of normal, adult dogs because he is willing to exchange the lives of dogs for the lives of humans. He bases this enhanced life-value of adult human life on opportunities for satisfaction. *If Regan is going to draw conclusions regarding right to life based on the special nature of certain human opportunities for satisfaction, he needs to define and explain these special opportunities in relation to those of other subjects-of-a-life.* How will he do this? If there are four humans and a dog on a boat that can hold only four, Regan concludes that "no reasonable person would suppose that the dog has a 'right to life' that is equal to the humans' or that the animal should be given an equal chance in the lottery for survival" (Case 285-286). More specifically, he assumes that normal human opportunities for satisfaction offer us an enhanced right to life.

How might Regan determine the amount of harm constituted by the loss of a particular opportunity for satisfaction for a certain species? What is the unit for measuring "harm" through loss of opportunities for satisfaction? Is it possible to obtain a full inventory of all species' psychology of satisfaction for all possible activities, and then

compare them with every other species in order to determine which subject-of-a-life is first to walk the plank? Regan fails to explain how we might calculate losses and harm, how we might measure opportunities for satisfaction, or how we will assess which subjects-of-life ought to be allowed to die—or even caused to die—based on these figures.

In spite of the epistemological difficulties entailed, interspecies comparisons that elevate human beings are an old habit, even in philosophy. John Stuart Mill makes a similar assertion, and runs into similar difficulties.

Mill distinguishes between higher and lower pleasures, between quality as well as quantity of pleasure, and assumes that “higher” pleasures are preferable. In his assessment human beings have these “higher” pleasures, while other animals do not. Human pleasures are elevated based on Mill’s assertion that humans understand the “lower” pleasures and choose the higher pleasures, while all other animals are unable to assess or choose between the different types (McCloskey, John 66).

In his famous work, Utilitarianism, Mill writes, “...some *kinds* of pleasure are more desirable and more valuable than others” (15), and humans are capable of more desirable pleasures. He asserts that people can rise above “base” pleasures, which we share with other creatures, but other species are limited to the lowest form of pleasures. He concludes, “It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied” (18).

How might one assess the mental, emotional, or psychological state of a satisfied swine? Why do people who have known both “higher” and “lower” pleasures, as defined by Mill, sometimes chose the latter? “Few who have successfully organized their lives for the maximum satisfaction of the lower pleasures express regret at having done so, whereas intellectuals... do commonly express doubts about the pleasure aspects of their styles of life” (McCloskey, John 68). In Utilitarianism, Mill answers these challenges by leveling an *ad hominem* attack against anyone who does not conform to his theory by attributing human preference for “animalian” pleasures to an “infirmity of character” (19), or lack of cultivation of higher faculties (20).

Like Regan, Mill takes account of the pleasures and pains of other animals, but not

on an equal basis. In Utilitarianism, Mill advocated that we seek, the greatest happiness “secured to all mankind; and not to these alone, but so far as the nature of things admits, to the whole sentient creation” (22). Even the “base” pleasures of non-human animals are “part of the general happiness” that ought to be considered (McCloskey, John 60, 68)—but they are a lesser consideration. Also like Regan, Mill does not find his way around the epistemological problems entailed in his assumption that other animals are incapable of “higher” pleasures. Yet he and Regan, both conclude that the satisfactions/pleasures of non-humans count for less than those of humans. Neither offers a verifiable standard for measuring pleasure or harms—in fact, neither philosopher offers any standard of measurement whatsoever. Like Mill, Regan offers only an *ad hominem* attack against those “unreasonable” people who might dissent from his point of view.

The epistemological problems inherent in Regan’s use of opportunities for satisfaction put him in a precarious position in relation to utilitarian protectionist theories. He accuses utilitarian philosophers of ignoring inherent value, and of trading off on the value of life (based on pleasures and pains), without presenting any viable system of measurement. Regan asserts that utilitarian protectionism is a theory without adequate attention to practicability because the method of measurement is a mere concept without any definable means. But Regan’s Rights View fails to offer *any* method of measurement that might be replicated in a common, real-life scenario. How do pain, suffering, untimely death, diminished welfare—how do harms and “opportunities for satisfaction” —play out in the buying and selling of wool socks in New Zealand? How would Regan use his theory to make an objective determination in a practical situation?

Leaving epistemological problems aside, Regan’s focus on *opportunities* for satisfaction seems misguided. Of what relevance are *prospects* for satisfaction? Of what value are prospects if they are almost never realized? Is it not more important which species is most apt to actualize satisfactions when the opportunity arises? How would Regan calculate an opportunity for satisfaction that has a one-in-a-million chance of being realized?

Cats, dogs, and horses enjoying a variety of satisfactions. While human beings

work throughout most of each day in the hope of gaining some uncertain satisfaction for the future, other animals *perpetually* realize a variety of opportunities for satisfaction that most Western human beings routinely forego. As far as we know, only humans willingly work many hours at tasks they despise, perpetually delaying the simple satisfactions in hopes of possible future pleasures. Are not actualized satisfactions worth more than *hypothetical* opportunities for satisfaction?

Again, epistemological difficulties aside, the Rights View risks *perfectionism*, which Regan *decisively denounces*. Perfectionism in ethical theories allows for acquired or biological traits to determine whether or not an entity is protected, and to what degree. Perfectionism focuses on certain traits, largely beyond our control, such as gender, skin color, or religion. Perfectionism offers elite status to a specific type of individual based on these morally irrelevant, largely pre-determined characteristics. Regan denounces perfectionism because basing protection on acquired or biological traits allows for routine, systematic oppression (Case 18). Regan argues that education, athletic ability, and musical talent should not determine one's value. He finds perfectionism, and the systematic oppression of certain individuals reprehensible—against our reflective intuition. He defends his work as non-perfectionist:

...lifeboat and other prevention cases, including those discussed earlier, are not decided by appeal to perfectionist principles, according to the rights view. They are decided by appeal to principles that acknowledge and respect the equality of the individuals involved, both their equal inherent value (no one individual's losses are to be outweighed by summing the losses of any group of individuals) and their equal prima facie right not to be harmed (no one individual's lesser harm can count for more than another's greater harm). This is not perfectionism. (Case 325)

Yet Regan assumes, without explanation, that normal adult humans have a particular quality, in this case a certain level of opportunities for satisfaction, that is absent in all other normal adult mammals. Humans can solve crossword puzzles, play the oboe, or systematically learn to identify mushrooms. As far as we know, *only* human beings can

enjoy these opportunities for satisfaction. But Regan does not reveal how he weighs such possible “opportunities for satisfaction;” it would seem difficult for him to avoid using *qualities held by individuals* (i.e. the contents rather than the cup). Regan asserts that enhanced opportunities for satisfaction (a quality held only by human beings, over which animals have little or no control) concurrently indicates greater harm through loss of life. Regan concludes that enhanced opportunities for satisfaction offer humans the privilege to live at the expense of non-human individuals. Although Regan insists that his concept of inherent value is non-perfectionist, his concept of opportunities for satisfaction seems dependent on attributes such as intelligence and health—perfectionist attributes.

The potential for routine, systematic exploitation in Regan’s Rights View is alarming. One who is well educated, young, healthy, and considered beautiful in the context of their culture will have more numerous and varied opportunities for satisfaction than a poor, sickly, ill-formed individual. Are not the opportunities for satisfaction greater for you or me than for a beggar on the filthy streets of Bangladesh? Ought we to determine who lives, and who dies, based on these enhanced or reduced opportunities for satisfaction? Regan makes life and death decisions based on opportunities for satisfaction, which seem to rest on nothing more than species membership. In this sense Regan’s Rights View offers elite status to a specific type of individual based on an in-born characteristic. Therefore, Regan’s Rights View is perfectionist.

Regan’s perfectionist inclinations could have dire consequences. At one point in his work Regan writes that if dogs did have greater opportunities for satisfaction than human beings, it would not “be wrong to cast a million humans overboard to save a canine survivor, if the harm death would be for the humans was, in each case, less than the harm death would be for the dog” (“Dog” 57). Whether human or dog, as many individuals can be pushed overboard as are necessary to maintain the lives of those who have the greatest opportunities for satisfaction. In this way, Regan asserts, the least harm is incurred.

Regan offers no details about the human sailors, but asserts that normal adult human opportunities for satisfaction are inherently more valuable than are those of a normal adult canine. What if the dog in Regan’s life-raft is a young, healthy, adult that

happens to be a seeing eye dog, a rescue dog, a herding dog, a police dog, and a much loved family pet, while the humans are lonely, inactive, bored, normal adult human beings? Is it not possible that the death of the pup might be a greater *prima facie* loss of opportunities for satisfaction than the death of any—or all—of the humans? The pup is apt to increase the opportunities for satisfaction amongst all that come to know her. Does Regan consider net opportunities for satisfaction, including satisfactions that the pup might offer others? What if the humans were perfectly normal adult geriatric convicts—rapists and murderers—while the canine was a rare Arctic fox pregnant with eight pups? Do problematic humans decrease net opportunities for satisfaction? Are geriatric convicts “normal”? Is a rare mammal “normal”? Uncertainties abound.

But, in Regan’s view, dogs simply do not have greater opportunities for satisfaction. Regan assumes that normal adult humans have greater opportunities for satisfaction than normal adults of *every* other species. (He does grant that abnormal human beings fall into the same category as other species, or perhaps even into a less protected category.) Regan’s assessment has interesting implications:

if we allow (what is certainly debatable) that we can in principle compare the harm that death is to a [normal adult] whale with the harm death is to a [normal adult] human, what then follows if we discover, contrary to expectation, that whales generally live richer, more satisfying lives than humans do? On Regan’s view we should sacrifice, if it comes to a choice, any number of [normal adult] human beings rather than one [normal adult] whale possessing superior faculties; indeed we *should* wipe out the entire human species rather than one superior whale. (If you can’t imagine superior whales, try substituting a suitable space alien.) (A. Taylor 259)

This hypothetical whale-scenario allows us to examine Regan’s conclusion more carefully. If we value our own particular mindset/available opportunities (you name it), criterion that allows certain subjects-of-a-life to live at the expense of others, it would seem contradictory to assert that all subjects-of-a-life have equal inherent value.

Peter Singer notes that Regan’s theory fails to protect the equal inherent value of

all subjects-of-a-life, and instead allows for systematic exploitation:

Suppose, for instance, that a new and fatal virus affects both dogs and humans. Scientists believe that the only way to save the lives of any of those affected is to carry out experiments on some of them. The subjects of the experiments will die, but the knowledge gained will mean that others affected by the disease will live. In this situation the dogs and humans are in equal peril and the peril is not the result of coercion. If Regan thinks a dog should be thrown out of the lifeboat so that the humans in it can be saved, he cannot consistently deny that we should experiment on a diseased dog to save diseased humans.

That is not all, since Regan says that in these cases numbers do not count, and a million dogs should be thrown overboard in order to save a single human being, he would have to say that it would be better to perform the experiment on a million dogs than to perform it on a single human. ("Dog" 57)

(It does seem that Singer's analogy is flawed in two significant ways. First, Regan has created a scenario where chucking one—or a million—entities overboard *will* save lives. A certain number of individuals *must* go overboard, and those that remain *will* be able to stay afloat. Singer's scenario entails experimentation, which is necessarily based on *assumptions* and the *hope*, or "belief," that lives will be saved. Second, in Regan's scenario each lifeboat entity is equally in jeopardy of drowning if all stay aboard. Diseases do not cause death with the certainty of over-filled lifeboats. Neither do experiments offer salvation with the same certainty offered by fewer passengers on an overfilled lifeboat. For these reasons, Singer's analogy is weak.)

Despite the problems in Singer's analogy, he highlights the danger of systematic oppression in Regan's perfectionist use of opportunities for satisfaction. The lifeboat scenario Regan portrays could only occur if one assumes that a particular species of normal adult animal is inherently "the first to go," or "the last to go," as Regan has done. Regan denies his own assertion of equal inherent value, and his own denunciation of perfectionism, with his assumption that normal adult human beings have greater

opportunities for satisfaction, and suffer more harm through death, than normal adult dogs.

In other instances Regan clearly avoids perfectionist criteria. He offers a scenario where four preeminent scientists, capable of offering enormous health benefits to humanity, have a degenerative brain disease. The fifth lifeboat passenger “delivers Twinkies to retail stores in Brooklyn” (Case 386). Regan unequivocally concludes that it is not acceptable in the Rights View to use the Twinkie deliverer for experimentation in the hope of saving the four scientists. He adds,

just as perfectionism is not an equitable basis for assessing the justice of practices involving humans, so it is an unacceptable basis for assessing the justice of practices involving animals... Implicit allegiance to perfectionism... would tempt one to sanction the harmful use of animals in research, their “lesser” value being “sacrificed” for the “greater” value of humanity. Grounded in the recognition of the equal inherent value of all those who have inherent value, the rights view denies that a distinction between lesser and greater would be made where the perfectionist defense of the use of animals in research requires it. (Case 387)

Here Regan indicates that intelligence has nothing to do with opportunities for satisfaction. Why does Regan protect Twinkie-sellers but not dogs? Regan admits that not all humans have the same opportunities for satisfaction, but he offers no tools or standards with which to quantify or qualify these factors between individuals. Maybe scientists do have greater opportunities for satisfaction... or maybe a dog does.

If we could conclusively determine that some entities or species have greater opportunities for satisfaction than others have, what relevance might this have to a *rights* theory intended to protect the *basic rights of all subjects-of-a-life*? Regan asserts that all “moral agents are viewed as equal in inherent value, if any have such value;” therefore any criterion for “how some may be justly treated applies to all” (Case 239).

Based on Regan’s assertion of equal inherent value, and corresponding equal treatment, it is reasonable to assume that either a dog has the same right to life as a human

being, or it has none at all (A. Taylor 257). Regan's *theory* indicates that the dog *does* have as much right to survive on the life-boat as any of the human beings; all subjects-of-a-life have *equal inherent value* in the Rights View. It must be so, or Regan contradicts his own assertion, yet in practice the dog is not granted an equal opportunity to survive on an overcrowded lifeboat.

Rights theories are ineffective when they allow that

circumstances may arise in which a right may be overridden. Typically, this will be the case when there are conflicting rights in a situation. The possibility exists that the rights of non-human animals may be acknowledged in theory, but overridden in practice by human moral agents when they judge that the circumstances warrant it. Since, as moral patients, animals are not in a position to contest these judgments, and since it is human moral agents who will stand to gain from them, the theory might end up not giving much protection in practice! (Benton 86).

As evidenced by Regan's lifeboat scenario, the Rights View offers preferential treatment to animals assumed to have greater opportunities for satisfaction. When life and death are at stake, it is the dog that goes overboard to drown.

The dog's fate seems to hinge on assumed levels of self-consciousness. Regan "attributes inherent value to creatures possessing a degree of self-consciousness" over and above what would be necessary for mere sentience (A. Taylor 251). While he only intends these as a sufficient condition, his lifeboat scenario reveals that Regan hinges basic rights, such as the equal right to life, on mental/emotional states.

If life and death decisions hinge on human assessments of harm through loss of opportunities for satisfaction, based on mental states, humans are apt to grant themselves the first and longest chance to live, as Regan has done. When lives must be lost, if the lives of all other animals are sacrificed before *any* normal adult human lives, as indicated by Regan, the Rights View is not much different from the *status quo*. What is the point of offering other species a right to life that can be snatched away whenever their existence infringes on our own, more highly valued lives?

Though Regan asserts equal inherent value for all subjects-of-a-life, the Rights View does not give the life of a dog the same value as the life of a human being. Regan could just as well have hypothesized, without need of supporting evidence or verifiable standards of measurement, that all men have greater opportunities for satisfaction than women simply because men are the dominant gender in our culture. He could then justify chucking women out of lifeboats to save the lives of men. However, he could not do so while maintaining that women have equal inherent value.

A rights theory that bases protection on indeterminate mental factors is incapable of protecting the fundamental rights of any individual.

b. *moral agency*: Regan assumes that only human beings can be moral agents, but this assumption is based on an unsupported assertion of free will. His distinction also seems to be based purely on species, without morally relevant distinction, and contrary to evidence.

Regan defines moral agents as “individuals who have a variety of sophisticated abilities, including in particular the ability to bring impartial moral principles to bear on the determination of what, all considered, morally ought to be done and, having made this determination, to freely chose or fail to choose to act as morality, as they conceive it, requires” (Case 151). Regan asserts that non-human animals cannot be moral agents (Case 295).

Morality consists of standards of behaviour (Orlans 7). To behave morally is to conform to the rules of a particular group (Webster’s). Such moral obligations are often called duties. Regan asserts that other animals (moral patients), “have *no* duties... *Only moral agents can have duties*” (Case 285).

According to Regan’s definition, a moral agent must have a free will and impartial moral principles. Therefore, he assumes human beings have “free choice” to apply or not to apply “impartial” moral principles. Regan does not defend these assertions.

It appears that Regan sidesteps the possibility of determinism in order to define human beings as moral agents. Yet this possibility is an important consideration. Without free will there is no element of choice in our actions. Determinism reduces morality to

mere biology: we behave as we are programmed to behave. Regan's notion of human beings as moral agents is dependent on an assumption of free will.

If Regan asserts free will amongst human animals, he must either demonstrate that this is an exclusive human attribute, or he must also assume that other animals have free will. To do otherwise is to be partial and inconsistent. He notes that the burden of proof lies with those who assert that other animals do not have qualities which we ascribe to ourselves, unless there is an obvious reason why humans ought to be placed in a special category (Case 34-37). There appears to be no obvious reason. In fact, evolution might indicate otherwise. "Any animal able to use mental abilities to choose between alternative forms of behavior is likely to be advantaged in the evolutionary process. It would be odd, Darwin suggested, if only humans had achieved any measure of this massive evolutionary advantage" (Orlans 12).

Notions of free will have frequently come under philosophic attack. It is possible that "our belief that we can act morally is a delusion produced by our evolutionary history" (J. Wilson 199). What if our will is no more or less free than that of any other animals? In this case we do not qualify as moral agents. In the absence of evidence, Regan asserts that we must assume other animals to be like ourselves, yet Regan does not explain why he assumes that only human beings have free will. Regan's assertion of moral agency solely for human beings is based on an unsupported assumption of free will held exclusively by human beings.

Regan's assertion also seems contrary to empirical evidence. There is ample evidence that other animals do have a sense of morality—that they can and do choose to conform or break the rules of their communities. Studies on non-human primates and canines indicate that humans are not the only animals that make moral choices.

Rosemary Rodd, quoting the ethologist Frans de Waal, indicates that chimpanzees have a sense of morality.:

Some descriptions of their behavior do suggest that they feel consciously indignant at cheating acts:

“...The two basic rules are one good turn deserves another and ‘an eye for an eye, a tooth for a tooth’.”

“The rules are not always obeyed and flagrant disobedience may be punished. ...reciprocity among chimpanzees is governed by the same sense of moral rightness and justice as it is among humans.” (Alexander 206)

Chimpanzees demonstrate “a rudimentary sense of fair play” and are “rational beings” whose behaviour suggests “social-contract ethics of rational self-interest” (Alexander 206). In this sense they seem very like ourselves.

Rhesus monkeys also appear to behave morally—to choose to act in ways that demonstrate a social conscience. Studies have shown that “a majority of rhesus monkeys will consistently suffer hunger rather than secure food at the expense of electroshock to a conspecific” (Rachels, Created 150). If human beings made this same choice, observers would conclude that the subjects had made a moral decision, and that they had behaved morally. (Interestingly, experiments that ask humans to inflict pain on conspecifics have not always shown *Homo Sapiens* to be such an exemplary, moral animal as the rhesus monkey.)

Biologists have also observed canines administering punishments to pack members that deviate from expected codes of behaviour (Alexander 206). If there are expected codes of behaviour, as there appear to be, this indicates that these animals are expected to behave in a certain way—that they are responsible for their actions and can be punished if they do not comply. Mary Midgley discusses morality amongst wolves:

Recently, ethologists have taken the trouble to watch wolves systematically, between meal-times, and have found them to be, by human standards, paragons of steadiness and good conduct. They pair for life, they are faithful and affectionate spouses and parents, they show great loyalty to their pack and great courage and persistence in the face of difficulties, they carefully respect one another’s territories, keep their dens clean, and seldom kill anything that they do not need for dinner. If they fight with another wolf, the encounter normally ends with a submission. They have an inhibition on

killing the suppliant and about attacking females and cubs. They have also, like all social animals, a fairly elaborate etiquette, including subtly varied ceremonies of greeting and reassurance, by which friendship is strengthened, co-operation achieved, and the wheels of social life generally oiled. Our knowledge of this behavior is not based upon the romantic impressions of casual travellers; it rests on long and careful investigations by trained zoologists, backed up by miles of film, graphs, maps, population surveys, droppings analysis, and all the rest of the contemporary toolbag. Moreover, these surveys have often been undertaken by authorities who were initially rather hostile to the wolf and inclined to hope that it could be blamed for various troubles... (Beast 25-26)

Social expectations carry duties. Where there are punishments for unacceptable behaviour, there are also codes of expected behaviour. The social lives of wolves and chimpanzees indicate that members have duties and can be punished for failing to fulfil expectations. This empirical evidence indicates that wolves and chimpanzees are moral agents. Observations of canine pack behaviour have led biologists to hypothesize that moral systems arise:

- when outside threats encourage group cohesion,
- when such threats might be most appropriately combated by complex internal social organization, and
- when certain members of a group can take action to make others modify behaviour (Alexander 80).

Not only non-human primates and canines fit this description: “Many animals live in social groups and behave in ways appropriate to preserving those societies” (Rodman 7). It would seem unusual for codes of conduct—duties—to occur only in human societies, and not amongst other gregarious animals that combat outside threats as a group. Even musk ox unite against outside aggressors, and ought to be acknowledged as likely to have a moral system.

Not only is it extremely likely that other animals have moral codes, but they have been observed exhibiting moral excellence. For human beings, for at least 2000 years, altruistic behaviour has been recognized as moral excellence. The “highest level of

morality is reached when persons extend their sympathies beyond their own group and indeed beyond their own species to all sentient creatures" (Orlans 14).

Interspecies altruism is evident in other animals (Clark, Animals 53). The people of ancient Crete recorded dolphins that assisted drowning humans. In 1996, in Chicago's Brookfield Zoo, an eight-year-old gorilla named Binti rescued a three-year-old human being that fell into her cage. She carried the boy to a door where humans could retrieve and attend to him. Her own seventeen-month-old baby, Koola, clutched her back throughout the incident (Associated). Cats and dogs, cats and mice, and cats and birds have proven to be amicable living companions when the need to hunt is eliminated. The gorilla Koko, who was taught sign language, had a feline friend that was killed by a car. Koko signed with great emotion when shown pictures of her cat-friend three years after the cat's death, still indicating regrets at the loss of her feline companion (Orlans 148).

It is unlikely that only human beings, amongst the many social animals, act as moral agents. Social order amongst animals appears to be maintained through ethical codes, which imply expected conduct, or duties. Groups in other species also seem to maintain social control amongst members—rules of conduct and expected behaviour. Regan does not discuss whether a lioness might have duties to her cub, a stallion to his herd, or whether a seeing-eye dog has duties to her mistress. It appears that we have failed to recognize any form of morality outside our own. Maybe what Regan (and may others) mean to say is that other animals cannot, and do not, participate in *human* morality. Generally speaking other animals do not conform to *our* moral codes. While other animals do not follow our legal and social codes, neither do we participate in the pack-morality of Arctic wolves or the herd-morality of African elephants.

Morality appears to be species-specific rather than exclusively human. Non-human animals have no *human* duties or *human* moral obligations, but they appear to have moral obligations within their own social context. Regan's exclusion of non-human animals from the category of moral agent, without discussion, is inconsistent with empirical evidence, and with his own assertion that the burden of proof lies with anyone who indicates that other animals do not share the qualities which we ascribe to ourselves

(Case 34-37).

c. *inherent value*: Regan uses an analogy to explain the basis on which he ascribes inherent value, but the analogy seems inadequate. It is unclear whether or not inherent value can be adequately defended.

Through the analogy of a cup and its contents Regan accuses utilitarian protectionists of valuing the ingredients inside the cup without acknowledging the value of the cup itself. Regan writes that utilitarians view individuals as “mere receptacles... of positive value (pleasure) or negative value (pain),” such that the individuals themselves “have no value of their own; what has value is what they contain (i.e. what they experience)” (Case 205). Regan accuses utilitarian theories of robbing individuals of inherent value because “welfare is something that can be taken into account and then traded off against other values... Regan [will] have none of this utilitarian calculating” (Rachels, Created 217):

The cup (the individual) does “contain” (experience) things that are valuable (e.g., pleasures), but the value of the cup (individual) is not the same as any one or any sum of the valuable things the cup contains. Individual moral agents themselves have a distinctive kind of value, according to the postulate of inherent value, but not according to the receptacle view to which utilitarians are committed. It’s the cup, not just what goes into it, that is valuable. (Case 236)

The strength of any analogy is based on the closeness of the parallel between the two ideas. Regan’s cup-analogy seems inadequate in six ways:

- A cup is easily separated from its contents.
- The greatest effect the contents can have on a cup would be a change of temperature or the addition of surface substances.
- Cups are indifferent to what goes inside them.

In contrast, individuals

- Cannot be separated from their vast and varied experiences, from “virtues,” or from emotions.

- Our contents affect us and become, to some extent, who we are. We become electricians or computer-hacks dependent on what is “inside the cup.”
- While it is easy to imagine a cup without anything inside, it is difficult to imagine an individual without their experiences or aptitudes.

In the case of individuals, one might legitimately wonder if there is a difference between “cup” and “contents:”

If I have a bottle of wine in my hand, I can pour the wine out of the bottle; but there is no way in which I can separate the valuable experiences of pigs from the pigs themselves. We cannot even make sense of the idea of an experience—whether of pleasure, or preference satisfaction, or anything else—floating around detached from all sentient creatures.

... it is not easy to see how the individuals and the valued experiences are to be separated.
(Singer, “Animal” 8, 12)

Regan defines subject-of-a-life according to certain *attributes*. He therefore ascribes inherent value based on possessing particular attributes, such as psychophysical identity. Can Regan consistently require specific attributes, such as desires, beliefs, and the ability to act as a requirement for inherent value, and then claim that inherent value is based on “the cup itself”? What are these “cups” —apart from desires, beliefs, and the ability to act? What are they apart from experiences, emotions, aptitudes, or propensities? In the absence of a definition of what these “cups” are, devoid of all experiences and aptitudes, what is the meaning of inherent value?

The uncertainties of Regan’s cup analogy call into question his notion of inherent value. Can the notion of inherent value be defended? In light of Regan’s criterion for a subject-of-a-life, which includes attributes, and his insistence that inherent value is based on “the cup itself,” his cup-analogy cannot hold water.

Regan does not adequately define “the cup” which he claims holds inherent value. But there are other ways to defend inherent value, as a logical locus and proper end for the value an entity places in things outside itself, or as arising in relation to other entities. The

concept is far from clear, yet central to Regan's Rights View.

The difficulties entailed in proposing inherent value will re-surface (as inherent worth) in Chapter Four.

d. *subject-of-a-life*: Those mammals granted "subject-of-a-life" status are simultaneously granted equal inherent value. Those who are granted equal inherent value are thereby granted the right not to be harmed: "...because all moral agents are viewed as equal in inherent value... what applies to how some may be justly treated applies to all" (Case 239). The determinants for subject-of-a-life are therefore extremely important.

Regan's subject-of-a-life category includes all beings that

have beliefs and desires; perception, memory, and a sense of the future, including their own future; an emotional life together with feelings of pleasure and pain; preference- and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psycho physical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them, logically independently of their utility for others and logically independently of their being the object of anyone else's interest. (Case 243)

Regan's delineation of subject-of-a-life seems unsatisfactory on three counts:

- it seems unclear why Regan has included this particular set of criteria
- Regan's criteria seem to be perfectionist
- Regan's criteria for subject-of-a-life can be reduced to welfare, the same basis used by utilitarian philosophers.

First, it would be reasonable to assume that there is a reason why each of these seven criteria have been included—that each is morally relevant and indispensable to Regan's list of qualifications. However, this does not seem to be the case.

Why has Regan included memory? Is memory integral to an entity if that entity is to be granted moral considerability? If an individual is unable to remember anything at all, does she lose her subject-of-a-life status? Do senile old people lose their right not to be

harm? If so, why? If not, why is memory included? If one remembers everything, but is paralyzed and cannot initiate actions based on my desires and goals, does such a one lose subject-of-a-life status? How is this quality morally relevant to subject-of-a-life status? Why is it necessary for one to be granted equal inherent value? Does it make sense to revoke a subject-of-a-life's equal inherent value if she becomes paralyzed or loses her memory? Regan's reasons for selecting specific criterion, and the importance of each, remains unclear.

Second, Regan's description for subject-of-a-life also raises questions regarding the inherent value of individuals—the "cups" who qualify for subject-of-a-life. Regan asserts that inherent value is based on "the cup itself." Only those who are granted subject-of-a-life status qualify for inherent value. Consequently, in order for Regan to maintain his non-perfectionist ideal for all those granted inherent value, the qualification for a subject-of-a-life must also be non-perfectionist. Concurrently, if the qualifications for subject-of-a-life are perfectionist, then the qualifications for inherent value are also perfectionist, since one must be a subject-of-a-life in order to be granted inherent value.

Yet this is not the case. Regan clearly delineates both physical and psychological requirements for subjects-of-a-life. *For one to be a subject-of-a-life one must have something in the cup.* Regan's subject-of-a-life criteria contradict his insistence that inherent value is based on "the cup itself."

Third, my examination of Regan's seven criteria for a subject-of-a-life leads me to believe that to be a subject-of-a-life is synonymous with having a welfare. Regan asserts that "mammalian animals have a welfare" (82). He describes in detail what welfare consists of: having a psychophysical identity over time (116); autonomy (84); interests, both preference and welfare (87); desires and goals (89); psychological and social needs, including an emotional life (90); and the ability to be harmed directly or through deprivation (94), or to gain satisfaction (93). If each of the seven items on Regan's subject-of-a-life list is checked against qualities Regan considers to be critical for having a welfare, each is present:

- *beliefs and desires:* Regan writes, "to have desires involves having beliefs"

(Case 92), and while beliefs are not explicitly included in the list of qualities necessary to have a welfare, desire is. If having desires involves having beliefs, then where Regan asserts that there are desires, he simultaneously asserts the existence of beliefs. Beliefs and desires are therefore integral to being a subject-of-a-life and to having a welfare.

- *perception, memory, and a sense of the future, including their own future:*

Goals are part of Regan's list of requirements for having a welfare. Because goals entail a vision of one's own future, an individual with goals must also have a sense of the future, particularly a sense of one's own future. Regan asserts that to have beliefs entails both perception and memory (Case 80-1), and beliefs are part of the requirement for having a welfare. Therefore perception, memory, and a sense of one's own future are requirements for one who has a welfare.

- *an emotional life together with feelings of pleasure and pain:* Regan writes that welfare entails psychological and social needs including an emotional life (Case 90) and the ability to be harmed directly or through deprivation (Case 94). Direct harm is through inflictions, which involves pain as is evidenced by Regan's statement that inflictions are "acute or chronic physical or psychological suffering... Suffering involves prolonged pain of considerable intensity" (Case 94). To have a welfare is not only to be sentient, but also to be able to suffer various types of pain, such as physical and psychological.

Regan's definition of welfare includes living well, which means that one has a positive welfare. One who has a positive welfare will "take satisfaction in pursuing and obtaining what they prefer" (Case 117). The American Heritage Dictionary defines "satisfaction," as the "pleasure derived from gratification." To take satisfaction in something is to derive pleasure from it, and so the notion of taking pleasure is integral to Regan's definition of welfare. Therefore having an emotional life, complete with pleasure and pain, is entailed in having a welfare.

- *preference- and welfare-interests:* both receive direct reference amongst Regan's requirements for having a welfare (Case 87).

- *ability to initiate action in pursuit of desires and goals:* Autonomy is on Regan's list of necessary qualities for having a welfare, and he writes that "individuals are autonomous if they have preferences and have the ability to initiate action with a view to satisfying them" (Case 85). Autonomy is "the capacity for self-determination, involving choice among clearly envisaged alternatives" (Haworth 104). "Autonomy matters because of what it enables us to make of our lives" (Frey, "Autonomy 52). Individuals that have a welfare are autonomous, and are therefore able to initiate action in pursuit of desires and goals. The ability to initiate action in pursuit of desires and goals is therefore entailed in having a welfare.

- *psychophysical identity over time:* Psychophysical identity over time receives direct reference amongst Regan's requirements for having a welfare (Case 116).

- *individual welfare in the sense that their experiential life fares well or ill for them, logically independently of their utility for others and logically independently of their being the object of anyone else's interest:* Because it is unacceptable to use a word to define itself, "welfare" does not receive direct reference in Regan's definition of what it means to have a welfare. All other qualities are part of what is necessary for one to have a welfare, since that is what Regan seeks to define. Obviously, having a welfare is entailed in Regan's definition of what it is to have a welfare.

Regan has included each of the seven qualities necessary for a subject-of-a-life in his description of those qualities necessary for having a welfare. It therefore appears that subjects-of-a-life are defined by having a welfare: they are able to be benefited or harmed, and therefore they fare well or ill during the course of a lifetime (Case 82). The *criterion for being a subject-of-a-life are entailed in having a welfare, therefore to be a subject-of-a-life is to have a welfare.*

Regan adds to this equation autonomy and interests—a "psychophysical identity over time" (Case 116). These qualities define the agent that can be benefited or harmed. Without a psychophysical identity, harms and benefits have no agent on which to act, or place to dwell. This, then is "the cup itself." If this is the case, the qualifications for subject-of-a-life that Regan offers are perfectionist—they are not the cup itself. These

“attributes” are just that—attributes that are contained in the entity, the “cup.”

In addition, Regan’s subject-of-a-life—a mammal, aged one year or more, with a psychophysical identity that can be benefited or harmed—can be reduced to welfare, and welfare can be reduced to benefits and harms. This looks very much like a utilitarian equation.

Rather than emphasize benefits and harms (as utilitarians do under similar terms “pleasures” and “pains”), the Rights View focuses on a psychophysical identity (the individual, or cup) which must contain the ability to have experiences to be harmed and benefited. This ability (contents of the cup) qualifies an entity for inherent value, which in turn obligates moral agents to avoid harming that entity’s welfare. Regan’s theory looks very much like a utilitarian equation where one’s experiences, and how those experiences affect one’s welfare, determine one’s moral considerability.

e. *rights*: Those with rights have “a claim *to* something and *against* someone” (Feinberg, Rights 159). Rights are a “justified claim or entitlement” often validated by moral principles and rules (Orlans 28). Most Westerners willingly accept the existence of human rights, but rights seem ephemeral, subjective, and human-centered.

Few are inclined to think that other animals have rights: a claim to something against human beings. Many argue that animals are simply not the kinds of beings that can have rights due to the very nature of what rights are. “It is one thing to say that it is wrong to treat animals cruelly, quite another to say that animals have rights” (Passmore 116-117).

The concept of rights may not be applicable to non-human animals: “...if we fail to treat someone in a way that he/she has a right to be treated, that person not only has a right to *demand* that he/she be given the treatment, but to *complain* if it is not forthcoming” (Kushner 147). Those that cannot defend their rights therefore are not eligible for rights. In short, “one can have rights only against those capable of acknowledging them” (Clark, “Rights” 172). Non-human animals cannot have rights because they are incapable of defending their rights. Any obligations we have toward other animals are either owed to the owners of the animals, or are offered merely as self-

imposed obligations (Orlans 29).

If this is the case, neither children nor primitive peoples qualify to bear rights. But before we concern ourselves with extending rights to more entities, perhaps we should focus on whether or not any rights of any kind have any validity. An extension of rights “presupposes that human beings have moral rights, ...a powerful case can be brought against the truth of this presupposition” (Frey, “What” 106). To many people rights seem “synthetic and unconvincing—whether applied in the human case or otherwise” (Ryder, Animal 328): “Not all philosophers are confident that moral rights even exist; some are suspicious of the concept and wonder exactly what it means...” (Rachels, Created 207). Rights have not conclusively been shown to be grounded on anything more ultimate than our own conception of what rights are. They are not tangible, and such concepts are “not demonstrably justifiable” (Feinberg, Social 94).

Rights have been dangerously subjective, “given and denied by humans, in some kind of collective fashion... [I]f all humans were to decide that dogs, or rhesus monkeys, or laboratory rats have rights equally with humans they would indeed then have such rights...” (Alexander 156-157). What is the value of a claim that seems to have no grounding beyond human contrivance? Are Regan’s subject-of-a-life criteria just another subjective list for a subjective group of rights-holders?

Regan’s Rights View is dependent on the existence of human rights, though “rights” are ephemeral, arbitrary, and to some scholars “just human invention” (Ryder, “Painism” 197). If human rights stand on shaky ground, is there any point in proposing animal rights?

Yet philosophic skepticism regarding the existence of rights is a decidedly small and isolated phenomenon. Most people in Western cultures accept the existence of rights, most notably their own. To refer to “rights” is to call to mind something that most of us feel strongly about. In Western countries “the language of rights resonates powerfully in the public mind” (A. Taylor 251).

If we accept human rights—as we generally do in the Western world—animal rights are a legitimate proposition. If one is to accept the existence of human rights, it is

difficult to maintain consistency and grant rights to all human beings while excluding all other animals. The burden of proof lies with those who would assert that all other animals are different in some morally relevant way, and consequently have no rights. In the absence of a morally relevant distinction, consistency requires that we accept non-human animal rights if we accept human rights.

However, rights seem inadequate as a basis for protectionist philosophy because the concept of rights is defined by what we *as human beings* are. Rights have been defined according to *human-centered* criterion, and though Regan successfully applies these human-centered criteria to normal mammals aged one year or more, *the criteria remain human-centered*. Only a handful of select entities, ones that share particular human-like tendencies, are able to qualify.

Human-based criteria by which we measure animals, such as self-consciousness or sentience, are inadequate. Due to this human bias, our long-standing assessment of which entities ought to be granted rights ought to be reconsidered.

3. *Undesirable Consequences.*

a. *innocent threats*: Regan defines “innocent threats” as dangerous moral patients. He defines moral patients as inherently innocent. A small child flinging poisonous darts randomly into a crowd is an innocent threat.

When an innocent threat endangers others, it may be necessary to harm the innocent to prevent them from endangering or destroying others. Regan uses the example of a rabid dog and rabid fox, indicating that in either case one might “harm” dangerous animals in order to nullify a threat (Case 296, 353).

Regan writes, if rabid foxes have “bitten some children and are known to be in the neighboring woods... and if the circumstances of their lives assure future attacks if nothing is done, then the Rights View sanctions nullifying the threat posed by these animals” (Case 353). Regan does not explain “nullify,” but historically speaking the fox will be killed. My assessment of Regan’s treatment of innocent threats is therefore based on the assumption that “nullify,” as he uses the term, includes killing innocent threats. If this is the case, Regan’s ethics allow innocent threats to be eliminated for our own

protection (Case 353).

While the basic principle (allowing self-defense against innocent threats) seems reasonable, Regan fails to define the borders. Without limitations on what constitutes a “legitimate” threat, and in the absence of limits on the measures one may take in the name of self-defense, Regan’s innocent threat clause could have undesirable consequences.

For example, moose roam backyards, city streets, and recreational areas in Anchorage, Alaska. Every year moose stomp people to death in fenced yards, on ski-trails, or even on the main university campus. Circumstances dictate that future human encounters with moose *will* occur, and that some such encounters *will* result in death. On this basis Regan eliminates rabid foxes. He could also sanction killing moose in Anchorage because they constitute an “innocent threat.”

Similarly, grizzly bears sometimes attack and kill hikers on trails around Anchorage. The only way to prevent such incidents is to eliminate bear. In most of the world, that is exactly what people have done, whether by design or chance. Bears and moose around Anchorage might also be eliminated under Regan’s innocent-threats clause.

If we extrapolate from Regan’s rabid fox example, taking this idea to its logical extreme, all moose and bear might justifiably be killed as innocent threats. The farther back into the wild country human beings venture, the more likely that people will encounter “dangerous” animals, and the more likely that human lives will be lost. In Regan’s Rights View, it is legitimate to “nullify” such innocent threats. Ultimately, all dangerous wild animals might be eradicated, including rattlesnakes, polar bear, black widow spiders, cougar and many, many more in order to nullify these innocent threats.

If we are to be impartial, and to maintain consistency, as the Western philosophic tradition indicates, Regan’s allowance for innocent threats might also endanger people. Though Regan’s use of innocent threats deals with situations where moral patients harm moral agents, he offers no indication that the same would not be true in the opposite situation. Humans—more than any other animal—pose a danger to other entities, and we are often ignorant of the damage we do.

It is often assumed that if one harms through ignorance, they are innocent. If

ignorance renders one “innocent,” then people who are ignorant of the suffering they cause to other animals are “innocent.” For instance, if a hunter kills a deer for recreation, she poses an “innocent” threat. Reason indicates that if a hunter were aware of the suffering caused, she would not kill deer, unless mentally disturbed. The fact remains that recreational killers needlessly endanger and kill thousands of animals every year—though if asked, they will indicate that they are unaware of the harm they cause—they imagine that they do their victims a favour! Hunters generally indicate that they are unaware that eating meat is entirely unnecessary, or that hunting causes unnecessary suffering. Do we have a right—are we morally obliged—to defend the hunted from these dangerous human killers?

This may seem outrageous, but only because it is not a familiar concept. If the “innocent threats” clause can be used to destroy a rabid fox that might bite out of fear or for self-defense, on what grounds can we deny the use of the innocent threats clause against humans who might kill other innocents? Recreational hunters do not even act out of fear, self-defense, hunger, or to protect offspring. The vast majority of Western hunters kill for recreation—because it is fun. Do hunters kill for pleasure because they are cruel, because they do not know that such killing is completely unnecessary, or because they do not know that they cause great danger and harm to other subjects-of-a-life? The first reason seems the least likely, and the other two possibilities reveal the innocence of the killer’s deed. To eliminate other species when they pose an innocent threat, but not humans, when they pose an innocent threat to other species, is inconsistent.

b. *loss of innocence*: Regan asserts that one who has lost their innocence by behaving unjustly has forfeited their equal inherent value (Case 323). While those who have lost their innocence must still be treated with respect, and are still due just treatment, the injustices that some have had to bear grant them privileges above those who perpetrate injustice.

Regan’s lifeboat holds four humans and one dog vying for space. How might loss of innocence affect the outcome with regard to these hapless floaters?

Regan accuses those who buy and consume flesh of being immoral—of sacrificing their innocence. He states, “those who support current animal agriculture by purchasing

meat have a moral obligation to stop doing so" (Case 394). We might also reasonably assume that Regan would make a similar assertion about all unnecessary exploitation of other animals. Therefore, to test for loss of innocence, each of the four humans will be scrutinized to determine whether or not they have been wearing or eating body parts of other animals. Flesh-eaters and leather/fur-wearers jeopardize their otherwise equal right not to be harmed. Loss of innocence for the four human beings is almost certain. If the humans on the lifeboat have been eating bits of bodies from innocent moral patients, each of whom share equal inherent value and the equal right not to be harmed, the dog is the *least* likely to be thrown overboard.

Furthermore, Regan asserts that non-human *animals are always innocent moral patients*. Consequently, dogs—and every other non-human animal—*cannot jeopardize their chance* for a spot on the lifeboat. While humans will almost surely be guilty of treating other animals as if they did not have equal inherent value—thereby forfeiting their place on the raft—all other passengers are incapable of forfeiting their rights because they are *inherently innocent*.

In any and all scenarios humans are likely to have jeopardized their innocence in relation to—and with regard to—other animals, while other animals remain inherently innocent. Contrary to Regan's conclusion, if members of the lifeboat are chucked overboard one by one, first eliminating those who have sacrificed their innocence—*the survivor must be the dog*.

c. *obligation to defend*: Regan states that moral agents have an obligation to defend a subject-of-a-life when a subject-of-a-life's equal right not to be harmed is violated. He writes that the onus of justification for any harm done is always on the one who brings about that harm. Unless or until we are shown how such harm is justified, we are rationally entitled to believe, and morally required to act, against such an action. Regan asserts that those who violate the rights of others are liable to sanction, and we all ought to participate in this process. Though Regan does not discuss where this duty begins or ends, or the difficulty of determining exactly when such rights are violated, two things are clear:

A slave-trader does not do what is right by supplying his client with a promised slave, and he has no valid moral duty to do so, despite his promising... promises made in the name of the perpetuation of this institution are morally null and void. The same is true regarding society's "contract" with science and the supposed duty of scientists to carry out their end of the agreement by harming some animals so that others, both humans and animals, might benefit. This "contract" has no moral validity, according to the Rights View, because it fails to treat lab animals with the respect they are due. That science that routinely harms animals in pursuit of its goals is morally corrupt, because unjust at its core, something that no appeal to the "contract" between society and science can alter.

(Case 390)

Regan's obligation to defend seems clear on two counts:

- every moral agent ought to work to liberate animals, and
- moral agents are justified in breaching accepted moral laws in the process of liberating other animals from unjust practices.

According to Regan a moral agent is obligated to break contracts and ignore laws in order to fight against the meat industry, or to thwart the use of animals in science. Regan also indicates that people are justified in *forcing* change on those who harm others: "If Heather violates the rights of those she cooks and eats when she cooks and eats them, then she has no grounds to complain that we violate her rights by stopping her" (Case 334). It is no violation of Heather's rights if moral agents act to prevent her from eating meat.

Regan is unclear where these moral obligations begin, end, or how far they might carry one along the path of civil disobedience. Consequently, the possibilities are somewhat daunting. Are we obligated to unchain our neighbour's dog? Must we forcefully liberate battery hens... or free-range hens? Does morality require us to engage in guerrilla-tactics to set loose laboratory and zoo animals? Beyond major lifestyle changes, is political activism enough, or must we step in on behalf of every cow and hen, every rat and monkey, every dolphin and kangaroo, every cat and budgie whose rights are currently violated?

Perhaps Regan accepts all of these obligations. If he does not, he risks inconsistency. If he does, he invites chaos.

d. *special considerations*: Regan asserts that “the moral bonds between family members and friends [are] a special consideration that justifiably can override the otherwise binding application of the miniride and worse-off principles” (Case 316). Through these “special considerations,” Regan justifies protecting a familiar and preferred human at the greater expense of a stranger simply because “it is those closest to us whom we stand to help or harm most, and they, us” (Case 316). Regan argues that “the relationships between friends and loved ones *are* special” (Case 317) and therefore impartiality cannot be expected—impartiality is not preferred. Without this special considerations clause, Regan writes, one would be expected to “spare the stranger at the expense of our loved one. And that is counterintuitive” (Case 315).

Yet Regan’s special consideration clause seems to feed into the hand of self-interest:

...love relations are relations of self-interest, though deep ones. It is important to *you* that you choose that man or that woman, as friend, lover, spouse; that *you* are the parent of that child; and so for many other such cases... —you *care* for them more. If moral relations are generated essentially by rational agents promoting their own well-considered, long-run interests, these cases make sense. (Narveson, “On a Case” 36)

Special considerations clauses have frequently been used, in just such a self-interested manner, to defend racism, sexism, and speciesism. Natural feelings between family members, and between human beings, are stronger than between strangers or between species (Orlans 20). If we allow special considerations, human beings are apt to be granted special considerations over and above other animals (Rollins 43), and perhaps certain powerful individuals will gain special moral status over other human beings:

If it is permissible to have special regard for family or neighbours, why not one’s fellow species-

members? The problem with this way of thinking is that there are lots of groups to which one naturally belongs, and these group-memberships are not always (if they are ever) morally significant. The progression from family to neighbour to species passes through other boundaries on the way—through the boundary of race, for example. (Rachels, Created 184)

How will Regan define “friend” and “family” in order to prevent racists and bigots from seeking advantages for those nearest and dearest? It does not logically follow that natural feelings, just because we have them, ought to be the basis of moral obligation. Regan’s special interests clause can be used to legitimize any and all special interests: speciesism, racism, and sexism.

It must be noted that Regan specifically protects *basic* rights from being toppled for “special considerations.” While no subject-of-a-life can be denied a right to life, based on Regan’s special considerations clause, they can be denied access to goods or opportunities due to their personal relations. Consequently, Regan’s special interest clause threatens the impartial application of the Rights View.

Regan seems to include this protective clause to prevent unsavory possibilities such as fathers neglecting their children to help more needy street-urchins, or soldiers at war who might abandon comrades to help wounded fighters across the lines. Regan states that such actions are counterintuitive because they deny fundamental bonds.

His point is worth considering. It is important to remember that philosophers most often seek ideals, even if these ideals are considered extreme. The utopian visions of philosophers have had a tremendous impact on our present world. To explore Regan’s special considerations clause, it seems useful to visualize a utopian world with *no* special considerations.

In a completely egalitarian world each of us would deal with everyone else in the same manner. We would impartially help whomever was in the most danger. In times of crises we would make decisions via “moral triage,” helping those most in need rather than tending our loved-ones first and foremost. Yes, fathers would leave their children to help other children who were more needy. And soldiers would cross the lines to help more

seriously wounded on the other side. *Whoever was most in need would gain aid regardless of gender, race, family membership, or species.* Such a utopian state of affairs would end the very possibility of war and famine. This vision seems neither counterintuitive nor negative, but utopian and idyllic.

Conclusion

Regan's theory is mammoth in scale and groundbreaking in philosophical achievement. The particulars of the Rights View, especially as revealed in his lifeboat scenario, are sometimes inconsistent with his overall intent. Regan's lifeboat scenarios reveal areas that need more deliberation, but the extremes of lifeboat scenarios do not harm the solid core of Regan's work: the Rights View effectively exposes the moral inconsistency of offering rights exclusively to humans while denying it to **all** other animals. If one is willing to accept human rights, in the absence of a morally relevant distinction between certain other mammals and human beings, Regan convincingly argues for a broader category of rights-holders. The Rights View remains the most systematic and comprehensive animal rights theory to date.

II. PETER SINGER: UTILITARIAN PROTECTIONISM

A. *Singer's Theory on Sentience.*

Peter Singer's protectionist philosophy has been one of the most controversial philosophical topics of recent decades. His simple utilitarian theory is grounded on equal consideration of interests and sentience.

1. *Utilitarianism.*

"At least since Epicurus in the fourth century BC, philosophers have suggested that all creatures seek pleasure and avoid pain" (Ryder, Animal 324). Utilitarian moral theories assert that the morality of an action is determined by the consequences. One ought to act in such away as to bring about the greatest utility: to produce the greatest good, happiness, benefit, and pleasure (Bentham 1-5). "In its classical form, utilitarianism maintains that we ought always to act so as to promote the greatest good for the greatest number" (Facione 15).

Egalitarian utilitarian theories assert that when assessing the greatest good for the greatest number, each individual carries no more weight than any other; each individual counts for one and no one counts for more than one (Regan, Animal 152). The interests of any one individual are no more or less important than the interests of any other.

Singer asserts that we are all naturally concerned for our own personal welfare: we wish to maximize our happiness and minimize our suffering. But, Singer writes, feelings of self-interest ought not to guide moral actions; self-interest ought to be subordinate to reason (Practical 69). We are called upon to "assess the moral claims of those affected by our actions independently of our feelings for them" (Singer, Practical

67). He indicates that rational thought and universalizing self-interest lead naturally to utilitarianism. Through this process, our self-interested actions become group-oriented, and achieving the greatest good for the greatest number becomes the basis of ethical actions.

2. *Sentience.*

In Singer's theory we ought to behave in such a way as to bring about the best consequences, on balance, for all. Any being that *can* suffer will almost always have an *interest* in *not* suffering. In order to bring about the greatest utility, the best consequences for all concerned, we must take interests into account.

Singer's utilitarian scales do not weigh one individual against another, they weigh suffering and need—interests. Singer asserts that the ability to suffer is essential to having interests (Practical 50). Interests stem from one's ability to suffer. A piece of coal cannot have interests because it cannot suffer. An armadillo, on the other hand, has a central nervous system and can suffer. Singer focuses moral considerability specifically on entities that have a central nervous system (Singer, "Animals" 244). He indicates that we ought to seek the best consequences for all sentient beings, for all entities able to suffer, for all creatures that have a central nervous system. A functioning central nervous system indicates that an entity can suffer. If we are to maximize pleasure and minimize pain, all sentient creatures must be taken into consideration (Singer, Practical 12):

Singer's work follows that of the utilitarian philosopher Jeremy Bentham, who is often quoted by protectionists: "The question is not, Can they reason? nor Can they *talk*? but, *Can they suffer?*" (Regan, Animal 153). Bentham argued that because other animals have the capacity to feel pain, they ought to be morally considerable (Orlan 22). While we cannot, with legitimate reason, discount interests based on hair-color, IQ, or length of toes, we need not be concerned with those who *have no interests*. Any being that is able to suffer *will* have interests. Interests are a morally relevant criterion that is not racist,

sexist, or speciesist. Singer concludes, "If a being suffers, there can be no moral justification for refusing to take that suffering into consideration" (Practical 50).

a. *equal consideration of interests*: Singer does not demand equal treatment for all sentient creatures, only *equal consideration of interests*. "How bad a pain is depends on how intense it is and how long it lasts, but pains of the same intensity and duration are equally bad, whether felt by humans or animals" (Practical 54). Equal consideration of interests functions as a scale that weighs interests impartially. Equal consideration of interests requires us to "weigh up interests, considered simply as interests and not as my interests, or the interests of Australians, or of whites. "True scales favor the side where the interest is stronger or where several interests combine to outweigh a smaller number of similar interests; but they take no account of whose interests they are weighing" (Singer, Practical 19).

Equal consideration of interests provides a basic principle of equality in Singer's theory (Singer, Practical 19). Equal consideration of interests is "beyond personal or sectional points of view and take[s] into account the interests of all those affected."

From this point of view race is irrelevant to the consideration of interests; for all that counts are the interests themselves. To give less consideration to a specified amount of pain because that pain was experienced by a black would be to make an arbitrary distinction. Why pick on race? Why not on whether a person was born in a leap year? Or whether there is more than one vowel in her surname? All these characteristics are equally irrelevant to the undesirability of pain from the universal point of view. (Singer, Practical 19-20)

All sentient creatures have an interest in avoiding pain, and this interest is as morally considerable in other sentient species as it is amongst human beings. To disregard sentience-interests of those that don't happen to belong to our species, according to Singer, is no more rational than to ignore the sentience-interests of other races, age-

groups, or religions. Drawing the line of what constitutes a legitimate interest not to be harmed between Homo Sapiens and other animals is arbitrary and speciesist. "Pain and suffering are bad and should be prevented or minimized, irrespective of the race, sex, or species of the being that suffers" (Practical 54).

The principle of equal consideration of interests ignores both species and aptitude. Equal consideration of interests "implies that our concern for others ought not to depend on what they are like, or what abilities they possess" (Regan, Animal 155).

...the fact that some people are not members of our race does not entitle us to exploit them, and similarly the fact that some people are less intelligent than others does not mean that their interests may be disregarded. ...the fact that beings are not members of our species does not entitle us to exploit them, and similarly the fact that other animals are less intelligent than we are does not mean that their interests may be disregarded. (Practical 49)

Singer bases his theory only on the equality of consideration of interests. He accepts that no two individuals are equal in other ways. Races, genders, and age groups show different aptitudes—as do species: "equality is a basic ethical principle, not an assertion of fact" (Practical 18).

We should make it quite clear that the claim to equality does not depend on intelligence, moral capacity, physical strength, or similar matters of fact. Equality is a moral ideal, not a simple assertion of fact. There is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to satisfying their needs and interests. The principle of the equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat humans. (Singer, "All" 152)

Singer asserts that there are no morally relevant differences between races,

genders, or species where suffering is concerned. This is not to say that there are no morally relevant differences between one species and another, only that *species itself* does not qualify as a *morally* relevant difference where suffering is concerned.

It is acceptable for one to make moral decisions based on species—in fact we must do so. For instance, a young shrew stranded on a street-corner in New York City, and a young boy stranded on the same corner, have very different needs, which result in different moral duties. Equal treatment would indicate that the Good Samaritan take both to a distant meadow and turn them loose. Alternatively, equal treatment would require one to search out, identify, and return the lost youth to their parents. In either case only one would benefit from such well-intentioned efforts. A lost youth in New York requires different actions for different species if one is to bring about the best consequences for each.

Such different needs are not only true between species, but between individuals of the same species. Men have special interests—such as regular check-ups for prostate cancer. Young people need different nutrition than older people. Burrows do not need to be guaranteed employment, owls do not need to be offered the right to a fair trial, nor do comatose patients need assurance of an adequate exercise pen. Not all distinctions based solely on species are morally suspect (Clark, “Humans” 180). Most of us, if we were trying to find just one parent for a tiny orphaned child, would choose a female Homo Sapiens. Such a choice is based on considerations of both species and sex, but it is not morally reprehensible. Genders, age groups, races, and species, all have different interests and different needs. Absolute equality is neither appropriate nor desirable. Some moral distinctions are legitimate (based on morally relevant criterion) even though they are based purely on gender or species, while other moral distinctions based purely on species are not based on morally relevant reasons, and are therefore not legitimate.

“There are important differences between humans and other animals,” and between

all species, “and these differences must give rise to some differences” in our obligations (Regan, Animal 150). Needs vary, therefore interests vary, and necessary actions vary accordingly. “The basic principle of equality... is equality of consideration and equal consideration for different beings may lead to different treatment” (Regan, Animal 150). Absolute equality is neither necessary nor appropriate. Singer’s utilitarian theory only requires equal consideration of interests.

If we are to impartially and equally consider interests of all sentient beings, to maximize aggregate pleasure and minimize aggregate pain, then we ought to be willing to experiment on a severely and irreversibly brain-damaged person (who has no living relatives) in the place of dogs or monkeys. Singer concludes that people “show bias in favor of their own species whenever they carry out an experiment on non-human animals for purposes that they would not think justified them in using human beings at an equal or lower level of sentience, awareness, sensitivity, and so on” (Singer, Practical 59). Equal consideration of interests requires us to consider levels of sentience and concurrent interests when making ethical decision, rather than focus on species.

3. *Mental Capacity.*

Singer’s theory considers mental capacities as relevant to one’s interests. He asserts that certain mental abilities sometimes influences one’s capacity for suffering. He notes that entities with self-awareness that can foresee misery will have mental anxiety in addition to physical suffering. For example, Singer might argue that a woman who knows she is dying, and will leave unfinished engineering plans—over which she has labored for decades—will most likely experience anxiety over her unfinished work in addition to any suffering she might experience from her slow demise. Singer would assert that a porcupine cannot share these scholarly concerns. Both the engineer and the porcupine would experience the physical pain of disease and dying, but Singer asserts that the woman suffers the additional psychological anxiety of unfinished labors.

Self-awareness affects levels of suffering, but it does not always enhance suffering. Sometimes an understanding of what transpires can decrease misery (Singer, Practical 3). For instance, Singer would most likely agree that an injured weasel, taken from the side of the road for medical care, would have greater stress than a human being would have under similar conditions. A medical unit helps to alleviate the fears of suffering people, but a human rescue team does not carry the same comforting message to a weasel. In this instance the entity with a greater self-awareness would suffer less.

In Singer's view certain mental capacities (such as the ability to experience terror, dread, and self-awareness) offer morally relevant distinctions with regard to suffering and equal consideration of interests. However, he notes, this does not mean that those with higher mental capabilities have a greater claim to moral consideration. As in the case of the weasel, it works both ways. Nor can we assume that all human beings would be equally protected if this were the case: human infants and some mentally defective people do not possess higher mental capabilities than non-human animals. Infants and some mentally defective people do not possess self-awareness, although the chimpanzee Washoe, the first chimp to learn American Sign Language, demonstrated self-awareness. When shown her reflection in a mirror, and asked, "who is that?" Washoe replied, "Me, Washoe" (Singer, Practical 94). Because the criterion of self-awareness runs across species, it is not species-specific, and it is therefore not speciesist. If certain mental abilities, such as self-awareness, are morally relevant criteria for ethical protection, then Singer asserts that we must accept that some humans fall outside this protected category, while individuals from other species qualify, and must be offered due protection.

4. Death and Killing.

Singer asserts that the ethics involved in killing another entity are "much more complicated" than the morality of inflicting suffering (Singer, Animal 228). For Singer, pain is pain, but the harm of death is relative to the entity that is killed and the methods

used. As a utilitarian, Singer asserts that taking certain lives quickly and painlessly neither harms nor helps those killed, and such killing is therefore not morally reprehensible:

A rejection of speciesism does not imply that all lives are of equal worth. ...It is not arbitrary to hold that the life of a self-aware being, capable of abstract thought, of planning for the future, of complex acts of communication, and so on, is more valuable than the life of a being without these capacities. To see the difference between the issues of inflicting pain and taking life, consider how we would choose within our own species. If we had to choose to save the life of a normal human being or an intellectually disabled human being, we would probably choose to save the life of a normal human being; but if we had to choose between preventing pain in the normal human being or the intellectually disabled one—imagine that both have received painful but superficial injuries, and we only have enough painkiller for one of them—it is not nearly so clear how we ought to choose. The same is true when we consider other species. The evil of pain is, in itself, unaffected by the other characteristics of the being who feels the pain; the value of life is affected by these other characteristics. (*Animal* 20-21)

Singer holds that the life of a “self-aware being” is of greater “value” than the life of a creature that does not hold this quality. While both may suffer equally from any given pain, a self-aware being suffers more through death. He is quick to add that this is not a speciesist division—severely brain-damaged human beings are not self-aware, while some non-human primates are.

Summary

In summary, Singer is a utilitarian who bases his ethics on interests, which arise from sentience. He rejects actual equality and proposes equal consideration of interests. Singer's states that speciesist criteria are morally irrelevant where pain and suffering are concerned. He asserts that like interests ought to be treated in a like manner. He argues that all sentient creatures have an interest in avoiding harm. He offers an ethical theory

that weighs pleasures against pains to maximize happiness and minimize suffering for the greatest number of sentient creatures.

Singer's work effectively highlights the moral blindness of accepted current ethics, which ignores the morally relevant criterion of sentience. Peter Singer's protectionist theory has had a tremendous impact on current discussion amongst philosophers and on the ever-growing protectionist movement.

B. *Discussion.*

Utilitarianism, based on pleasures and pains, is the root of the simplicity that has made Singer's work popular, but utilitarianism entails difficult philosophic problems. Examining two common objections to Singer's work reveals that these complaints are unfounded. Serious problems do arise in Singer's utilitarian theory, including practicability, expendability, and Singer's use of mental factors in his utilitarian equation.

1. *Common Concerns.*

a. *asserting new boundaries:* Singer's theory rejects common, species-based ethical distinctions, but he admits that replacement guidelines are difficult to offer. Where does sentience begin? Which beings will be considered self-aware? If we manage to include every human being under our ethical canopy—including one born without any brain at all—are interests the final criteria?

To such quandaries Singer offers no answer. Instead, he notes that we are keeping brain-dead humans alive on expensive hospital machines while denying freedom of movement, adequate nutrition, mother's care, and life itself to otherwise healthy, sentient non-human creatures. He concludes that the pressing question is not where to draw a new line but how to begin the process of uprooting extant speciesist attitudes and actions. Drawing new lines will be a relevant concern at some point in the future—but it is not relevant in light of today's flagrantly speciesist practices. On this point Singer seems

correct.

b. *devaluing human life*: Singer's critics accuse him of choosing to sacrifice mentally deficient, helpless human infants to the cause of science, rather than fully sentient, functional "laboratory" animals. But Singer states plainly: "...the aim of my argument is to elevate the status of animals rather than to lower the status of any humans... I would like our conviction that it would be wrong to treat mentally defective humans in this way to be transferred to non-human animals at similar levels of self-consciousness and with similar capacities for suffering" (Practical 68).

Those who object that Singer's work devalues human life misrepresent his plainly stated intent and the probable effect of any utilitarian theory based on sentience. Singer does not wish to increase but to decrease suffering. "In the end, Singer is in favor of increasing protections for vulnerable animals and humans" (Orlans 24). Furthermore, he stresses the importance of mental capacities, which adds yet more protection to the vast majority of human beings. Singer's theory not only helps to protect human beings, it favours them. Consequently, those who object to Singer's work on the grounds that it *devalues* human life are actually objecting to the fact that Singer's work *values* the lives of other animals. Singer cannot rightly be accused of devaluing human life.

2. *Problems Associated with Utilitarianism.*

a. *practicability*: Some philosophers favour utilitarianism for its theoretical simplicity. "The great strength of pure utilitarianism... is its unity, its capacity to adjudicate non-arbitrarily between all competing moral claims" (Lockwood, "Singer" 158). Utilitarianism is simple *in theory*, but extremely complicated in practice.

Singer fails to demonstrate the means by which his theory might be implemented. Singer does not conclusively determine the best consequences, based on his utilitarian assessment of all relevant pleasures and pains, in an actual situation. Applying Singer's simple utilitarian equation to any given instance is by no means simple.

For instance, a shift from flesh-based farming industries to vegetable-based industries would, in one way or another, impact almost every extant individual, especially those directly involved in the free-market economy. Is it possible to weigh flesh-eating pleasures against deaths, and the suffering of other animals? If we consider factors such as loss of income where might we reasonably end our assessment? Would we consider the incomes of those who supply knives to slaughterhouses? Steelworkers? Those who make knife-sharpeners? Hog-feeders? Grain producers? Those who provide electricity to meat-shops? Dam-builders and maintenance crews who supply cows and pigs with millions of gallons of water? Those who sell transport trucks? Gas stations and road-workers? Those who might take pleasure, or suffer great pains, in watching truckloads of sheep pass by on the freeway? The husbands and children of each?

Perhaps one could address the central equation first, leaving other pleasures and pains (such as those of job loss) as secondary. To assess the utility of dietary choice we need only calculate the amount of pleasure gained by eating meat that would not occur if we were to eat only vegetable dishes (Gruzalski 260). If this is the case, the core equation is simple: meat diet versus vegetable diet.

Singer focuses on the primary question, the differences in pleasure between eating flesh and eating vegetables. His utilitarian equation asks only whether flesh or a non-flesh diet yields better consequences. This approach makes sense because if no one prefers to eat meat, it is pointless to perpetuate the meat industry purely for the financial needs of those currently involved in this line of work. If the scales tip toward flesh-eating, we might next ask what sort of farms would be ethically preferable. If the scales tip toward eating only vegetables, we might ask what method of disbanding farms might offer the best consequences. After the primary issue is resolved a new utilitarian equation emerges for consideration. Through this process Singer's theory adds to our understanding of the most important considerations in a given issue, and those that might be considered secondary.

Singer elaborates on his utilitarian calculations, and concludes that this simple equation yields no utilitarian gain for flesh-eaters ("Utilitarianism" 333). Considerable evidence indicates that there is no health gain, non-flesh-eaters argue that there is no culinary gain, therefore, on what grounds would one justify the torment and death of millions of animals for a food-choice that offers *no benefits whatsoever*?

Using this simplified approach, where only the most central issues are considered, Singer offers the following considerations as gains entailed in a vegetarian diet:

- an end to the excessive suffering of food-industry animals
- no culinary sacrifice
- increase in grain available to feed hungry populations
- health benefits
- environmental benefits ("Utilitarianism" 332-4).

Singer admits that a vegetarian diet will involve financial losses for those who gain from the flesh-industry, but he notes that this is a one-time loss, and therefore easily outweighed by long-term considerations. "Compare the indefinite prolongation of animal suffering with the once-only cost of a transition, and I think that as long as we give the interests of animals equal consideration with similar human interests, the answer is clear" ("Utilitarianism" 334). Unfortunately, what seems clear to Singer appears to be unclear to the majority. It is unclear how to proceed if those weighing relevant factors disagree on the comparative weight that each ought to receive.

Focusing on the primary question—flesh-diet versus non-flesh-diet—avoids a critical point: the "food-animal" industry *already exists*. Any dietary change *will* impact many lives for the better or for the worse. These harms and benefits cannot fairly be removed from an equation intent on finding the utility of dietary choice. If the equation had been worked out *before* the advent of agri-business, Singer could reasonably focus only on dietary matters, in which case it might have been clear that the farm industry ought

never to begin. However, this mammoth business exists and cannot be eliminated without hardship. Singer cannot ignore these hardships in his utilitarian equation if he seeks the *best possible outcome for all those effected*.

Utilitarian equations are instrumental in assessing who will experience the greatest impact from certain actions. However, these benefits are mitigated by a lack of dependable tools for measuring pleasures and pains. How might Singer measure the pleasures of a flesh-based diet against those of a non-flesh diet?

Meat-eaters tend to assume that the pleasures of flesh-eating are irreplaceable. Who can argue with their personal statements of culinary preference? Maybe a vegetarian diet *is* lacking in pleasure, though few vegetarians are apt to agree. Only those who are willing to go without meat for a prolonged period of time will be able to comment on a vegetable-based diet, and their opinions are apt to be biased. Hard-core flesh-eaters, who believe giving up meat is a tremendous culinary loss, are not apt to give up meat long enough to comment on the differences. An economist is likely to argue that money makes the world go around, while a minister is more apt to assert that this function is filled by faith, religion, and ultimately God. Similarly, flesh-eaters and vegetarians tend to view dietary choice through a personal lens. How can subjective opinions be weighed on the scales of utility? There is no unit of value for pleasure and pain, yet "there must be principles which determine how these reasons for and against are to be weighed..." (Sprigge, "Metaphysics" 137). Even if we could gather all the necessary information from all affected parties, how would we compare pains and pleasures. There is no unit of measurement.

How might Singer weigh physical or mental pains and premature death of a veal calf against loss of livelihood and thwarted culinary pleasures? Moral intuition *might* suggest to *most* of us that loss of liberty and life will always outweigh any downward shift in finances or loss of culinary pleasure, but Singer does not accept moral intuition as a

legitimate philosophical guideline ("Utilitarianism" 9, 327). Nor is Singer's moral intuition the common sentiment in Western societies. Without a defined unit of measure, Singer's conclusions are similar to moral intuitions—entirely subjective. "Given the difficulty of measuring pain and pleasure in any objective fashion... it is impossible to convince a skeptic that the premise of the Utilitarian argument—that the overall pain caused by eating meat is greater than the pleasure—is in fact true" (Telfer 73).

Yet the issue of flesh-eating is straight forward compared to most protectionist issues. How do pain, suffering, loss of life, and thwarted opportunities of a tusked elephant (or walrus) weigh against the shoe-string survival of assorted Africans (or Inuits)? We must weigh the lives of those killed against these five different livelihoods:

- Killers that kill the animals and sell the tusks to smugglers
- Smugglers that smuggle the ivory out of the country and sell to artists
- Artists who carve an elephant (or a walrus) and sells to a dealer
- Dealers who sell to a shopkeeper
- Shopkeepers that sells to consumers

How can we conduct a utilitarian calculation with regard to the ivory trade? How would the equation change if the ivory supplier would perish without the income? What if the tusks were cut off of a live elephant? Finally, what if the de-tusked elephant was then killed by a bull-elephant because it had no tusks to defend itself? How might scales of utility accommodate these myriad possibilities? How does one weigh the pains of an elephant (or walrus) against the pleasures of those who depend on the ivory industry for their welfare, along with the pains of those who fight for the lives of these animals, or against those who enjoy—or hate—ivory products?

Concepts are not as straightforward or complete as mathematical equations. We cannot feel the pains of others, nor their pleasures. Even if we could, how are they to be compared, one with another? Such a feat requires super-human knowledge. "Only God

can aggregate the pains and pleasures of others and only then if he or she can actually feel them" (Ryder, "Painism" 203). In the absence of god-like knowledge, Singer's theory is difficult to use in practical situations.

While the complications of utilitarian equations, and the lack of a defined unit of measure, make Singer's theory difficult to employ conclusively in any given situation, that is not to say that weighing harms and benefits has no practical value. Singer's work follows a long-standing moral inclination to weigh harms and benefits. Once a system is established for this purpose, as is the case in Western legal systems, weighing harms and benefits is more manageable. For instance, the most notable distinction between murder and attempted murder is one of harm done. The criminal is no less wrong in action for having failed in her attempt to kill, yet the crime is categorized separately, and tends to carry a lesser punishment. Perhaps Singer's theory could also reach such a state of institutionalized categorization with regard to harms and benefits, in which case it might one day be more viable in actual cases than it is currently.

b. *expendability of life*: Tom Regan criticizes Singer's theory for failing to respect the value of life. Singer asserts that utilitarianism maintains the value of individual lives:

...utilitarians and others who are prepared to harm individuals... will view those they are harming, along with those they are benefiting, as equally possessing inherent value. They differ with Regan only in that they prefer to maximize benefits to individuals, rather than to restrict such benefits by requirement that no individual may be harmed...

The principle of equal consideration of interests, which is the foundation of utilitarianism as well as of many other ethical views, fully satisfies the demand that we recognize the inherent value of subjects-of-a-life. (Singer, "Animal" 11, 13)

Despite this claim, Singer's utilitarian theory offers no basis for the "value" of life.

His theory weighs pleasures and pains to determine which action will bring about the best consequences for all effected. If Singer's theory requires that the life of an ibis hang in the balance while we determine which actions will bring about the best consequences for all those effected, what is the "value" of that ibis' life?

Singer might argue that the best outcome for the ibis is as relevant as the best outcome to all other individuals. In that her interests are given equal consideration, the ibis is granted inherent value—but not absolute inherent value. Absolute value protects the lives of individuals first and foremost, all things being equal. Singer's theory does not offer inherent value to any individual.

But Singer's theory *is* based on a more general "value" for life. In his theory lives are valued, but only in relative proportion to all other entities. Each sentient entity is viewed as a member of a larger group, where tradeoffs for the greater good of the group are permissible—even desirable. Singer's theory acknowledges the "value" of sentient entities by basing his theory on reducing pain. Why would one wish to increase happiness or reduce suffering if individuals have no value? Singer's theory does not overtly ascribe inherent value to any one entity, yet by seeking the best consequences for all those affected, his theory actualizes a fundamental "value" for all effected. Each individual in the equation is *de facto* granted a measure of inherent value because their interests are considered.

Yet individuals are expendable in Singer's work; aspects of Singer's theory fail to protect the lives of sentient individuals.

Ethics in the United States focus on individual rights. Individual consciousness is of extreme moral relevance and "it is *wrong to aggregate across individual sentients*" (Ryder, Animal 326). Singer's theory does not focus on individual rights. His work trades one individual off against another.

In Singer's utilitarian theory "killing a self-conscious being would be justified if this

brought about the optimal aggregate balance of pleasure over pain for those affected” (Regan, Case 210). (Technically, Singer’s theory is based on the outcome that brings *the best consequences for all those affected*, but Singer agrees that the aggregate balance of pleasures over pains is one and the same.) “For utilitarians the proper end—the greatest good for the greatest number—reduces all beings into resources for attaining this ideal. It is for this reason that [utilitarians] believe individuals can be appropriately sacrificed for the greater good” (diZerega 31).

For Singer there are situations in which using other lives as a means to an end might be justified. For instance, Singer accepts “aggregative trade-offs,” whereby “a painful experiment upon an unwilling subject (whether non-human or human) *is* justified by its beneficial consequences” (Ryder, Animal 325). “I do not believe that it could never be justifiable to experiment on a brain-damaged human. If it really were possible to save several lives by an experiment that would take just one life, and there were no other way those lives could be saved, it would be right to do the experiment” (Animal 85).

Singer’s theory does not value the individual per se. Singer’s protectionist theory trades off the lives of some individuals for the possible benefit of others (Regan, “Dog” 56). . Each individual lives or dies according to their utility. If their death brings greater utility to more individuals, then their individual life ought to be sacrificed to the greater good.

Singer’s utilitarian expedience highlights the epistemological difficulties that plague utilitarian calculations. “How many infants can be sacrificed for the benefit of how many others? How much agony is justified by what quantity of benefit? How certain must [one] be of the success of the experiment in advance?” (Ryder, Animal 326). How can we answer these questions if we do not know the interests of each species—of each entity—and if we have no unit of measurement? Singer fails to address these complicated uncertainties (Benton 9).

Singer's tendency to trade lives off, one against another, is epitomized in his "replaceability" argument. In order to maximize utility, Singer asserts that certain individuals ought to be replaced by entities that are better able, or more likely, to satisfy interests. Such replacements maximize satisfaction of interests. Utilitarian expedience allows for the killing of comparatively less happy or less successful individuals in order to maximize satisfaction of interests.

Perhaps the "replaceability" argument even *requires* such deaths. Dale Jamieson offers an example consisting of two parents, who plan to have only a certain number of children, and who have one exceptionally miserable child. He asks, would not their chances of bringing more happiness into the world be higher if they were to eliminate the misery-child, and conceived another in its place? If one entity can be replaced with another that is happier, is not a moral utilitarian compelled to sacrifice the less-happy for the sake of the happier (Jamieson, "Killing" 142-145)? Given the anxiety such a system would bring to parents, perhaps not, but if one were allowed to eliminate unhappy children *if they so chose*, perhaps so.

Singer's ethic not only *allows* the killing of individuals for the benefit of the majority, but *requires* such an act. Michael Lockwood offers an example of how the "replaceability" argument might facilitate the birth of a company that he calls "Disposapup." This hypothetical company breeds pups to provide pets for families. "Disposapup" also takes dogs back and disposes of them, by putting them painlessly to death, if the family wishes to go on vacation, or if their pup has grown beyond the cute and cuddly stage, and the family has lost interest. If the family wants another dog "Disposapup" can give them a fresh start with a cute and cuddly puppy whenever they so choose ("Singer" 168). Because Singer focuses on pleasure, rather than the individual, his theory leads to some alarming possibilities.

But utilitarianism is not solely to blame for the carnage. At least some of these

surprising possibilities stem from theoretical errors in Singer's work.

In "Killing Humans and Killing Animals" Singer examines two utilitarian outlooks. The "total view" indicates that ethical actions will always "increase the total surplus of pleasure over pain, irrespective of whether this is done by increasing the pleasure of existing beings, or increasing the number of beings who exist" (147). In contrast, the "prior existence view" considers the pleasure and pains only of those beings that already exist (Singer, "Killing" 148).

Singer opts for the "total view" because he notices an inconsistency in the "prior existence view." For Singer it makes perfect sense *not* to base a decision to have children on a utilitarian commitment to increase the amount of pleasure in the world. Therefore, the "prior existence" theory is consistent with our moral intuition. Reason suggests to Singer that the opposite ought also to be true, but Singer notes a disconcerting asymmetry: "if the pleasure a possible child will experience is not a reason for bringing it into the world, why is the pain a possible child will experience a reason against bringing it into the world?" ("Killing" 148). Singer discounts the "prior-existence" view based on this suspicious asymmetry, and opts for the "total" view.

The asymmetry seems to result from Singer's wording of the question, rather than from inherent problems in the "prior existence view." In his discussion of the total view, Singer assumes that any given life generally counts as a "pleasant life," unless otherwise described:

...it does not seem wrong for the government of an underpopulated country to encourage its people to have more children so that the population will rise by, say, one million. Yet of this million, we can be sure that at least one will be thoroughly miserable. If it is not wrong to create the million, but would be wrong to create the single miserable being, the obvious explanation is that there is value in the creation of the 999,999—or however many it will be—whose lives are happy. ("Killing" 150)

Singer assumes that all lives—except the (minuscule) quantity who are undeniably miserable, are correctly counted as “happy,” and therefore rightly brought into the world toward a net utilitarian gain. Singer assesses existence as an undisputed positive/pleasure. Is not the myriad experience of life more complicated than Singer’s assumption indicates? It seems more reasonable to assign a neutral or mixed value, since life is many-faceted.

If we rewrite the conundrum, eliminating Singer’s assessment of life as an automatic (and it would seem exclusive) pleasure, the question looks very different: if the pleasure and pain a normal child is apt to experience is not a reason *for* bringing it into the world, why is the certain increased pain of a defective child a reason *against* bringing it into the world? The question no longer appears asymmetrical or perplexing. A not-yet-conceived entity is necessarily an unknown, but will most likely find a mixture of both pleasure and pain throughout life. Some beings, born with diseases or mental defects, experience increased suffering from medical treatments, torment of peers, exclusion from activities, or the uncertainty of their futures. Concurrently, the anguish of parents, extended family, and friends is heightened by the birth of a child that is not physically or mentally average.

If the anticipated mix of pleasure and pain is altered so that increased pain is expected, one might reasonably choose not to parent. This is not to say that there is *no* pleasure in the life of one born outside the physical norm, only that it is reasonable to assume that the pain ratio will be higher in the birth of a defective child—for the child, the parents, and for all involved.

Singer’s assessment of life as an exclusive “pleasure” leads him to reject the “prior existence” view in favour of the “total” view, which in turn leads Singer to accept the “replaceability argument.” The “replaceability argument” asserts the utilitarian expedience of killing of an animal (human or otherwise) that has no conception of itself as a being in

the future, provided such individuals lead pleasant lives, are killed painlessly, and are *replaced* by beings of equally pleasant lives. Singer notes that this view seems counterintuitive (especially since children and severely retarded individuals fall into this same category). If Singer had not erroneously misconstrued life as exclusively “pleasure,” he would not have rejected the “prior existence” view based on an asymmetry created by his erroneous assumption. In this case Singer probably would have opted for the “prior-existence” view, thereby avoiding the counterintuitive conclusions of the “replaceability argument” highlighted by Jamieson and Lockwood.

Michael Fox attacks the expendability of certain individuals due to Singer’s focus on sentience. He notes that a being with no sensation has no interests, and such individuals need not be treated with any consideration in Singer’s theory. Michael Fox brings to light

...[a] rare but thoroughly documented condition called “congenital universal indifference (or insensitivity) to pain,” which is characterized by complete absence, throughout life, of any pain-sensing capability. But if the capacity to experience pain is missing, any rights predicated on it must vanish as well. In addition, completely anesthetized, hypnotized, or deeply comatose human beings lack the capacity in question and hence, too, any corresponding rights. (“Animal” 110)

Fox misrepresents Singer’s utilitarian theory as a theory base on rights, and he neglects to consider the more complex aspects of Singer’s theory, such as mental suffering, and the suffering of relatives and friends—all of which Singer takes into account. However, Fox’s point holds true for beings that have no sensation, when no one else experiences the effects, and so long as there is no mental anguish involved. However unlikely, Fox brings up a point worth considering—even if one does not suffer, is not an interest in living of some relevance?

This question can be explored via Singer’s views on painless death. Singer seems

uncertain about a hard-core utilitarian approach to painless death. Sometimes his work reveals a more live-and-let-live philosophy: "If fish are capable of enjoying their lives, as I believe they are, we do better when we let them continue to live than when we needlessly end their lives..." (In Defense 9). This statement hints at a measure of value in the lives of other beings—whether or not they feel pain, whether or not their continued existence bring about the greatest aggregate of pleasure.

But Singer's live and let live sentiment is noticeably absent from his more classical utilitarian philosophy. His theory does not prohibit killing, so long as it is done painlessly (VanDeVeer, "Interspecific" 56). "When animals lead pleasant lives, are killed painlessly, their deaths do not cause suffering to other animals, and the killing of one animal makes possible its replacement by another who would not otherwise have lived—the killing of non-self-conscious animals may not be wrong." In short, "the wrongness of killing amounts to no more than the reduction of pleasure it involves" (Practical 104). If the extant pleasure is not reduced, no wrong is done.

This conclusion is based on the assumption that sentient beings have no interest in staying alive (VanDeVeer, "Interspecific" 160). Singer does not overtly express or defend this assumption, yet all living entities are "psychologically oriented to escape death and to pursue the goals appropriate to their kind—which tells against the idea that it is normally acceptable for us painlessly to kill healthy sentient beings lacking a high degree of self-awareness" (A. Taylor 252). Is the thwarting of an animal's interest in survival, as indicated by the behaviour of almost all (if not all) living things, a harm? On what grounds can thwarted interest *not* constitute a valid harm in Singer's utilitarian equation? Singer offers no explanation.

If a painless death is possible and ethical, there is nothing to stop the demise of unloved and unwanted individuals. In the eyes of some, "there are good reasons not to judge deficient human life either of equal value to normal, adult human life or, in extreme

cases, even of much value at all" (Frey, "Autonomy" 58). Many individuals (human and non-human) might be eliminated for the aggregate benefit of all. The painless death of these individuals, deaths that cause no suffering to anyone, maximize happiness and are therefore preferred.

Not only do some individuals fail to add to the aggregate happiness, but they may be a significant *detriment* to Singer's utilitarian goal. Singer fails to consider situations in which the death of an individual would bring great pleasure to others. If a man beats his wife, cat, kids, and dog; if he steals from his relatives, threatens coworkers, goes hunting every weekend, and eats his neighbors (he lives between a hog-farm and a cattle ranch), would not his elimination be *preferable for all sentient beings effected*? Singer theoretically calculates the best outcome for all sentient entities, and he will need to consider under what circumstances annoying or dangerous individuals are rightly eliminated. When does an individual cause so much pain and suffering to others that the utilitarian scales vote against their existence? Perhaps Singer's utilitarian equation indicates that flesh-eaters, fur-wearers, hunters, and other ruthless exploiters of sentient beings ought to be eliminated.

However, any answer must take into account the effect of killing on the one who kills. On this count Singer's equation seems incomplete. He assumes (in his "replaceability" argument) that there is no net loss if the pleasures subtracted on account of death are added back into the equation by a new birth. In this view killing is acceptable so long as a given death is painless, the individual is replaced, and no other animals are effected (through loss of a mate, offspring, or a member of their social group). Singer asserts that if these conditions are met there is no reason to oppose killing. He writes rather glibly, "an infant who is 'allowed to die' ends up just as dead as one who is killed" (In Defense 8).

But Singer has left out two important factors: *the effects of killing on the one who*

makes the kill, and on the society in which that killer lives. Moral responsiveness is generally considered both strong and natural in human beings, and violence inherently disturbing (Ryder, *Animal* 320). Studies indicate that violence and cruelty “undermine our moral responsiveness to humans” (Auxter 224). We do not “call someone ‘inhuman’ because that person is stupid, but because he or she lacks certain fundamental emotional responses” (Clark, “Human” 173). Most people would view cruelty and indifference to life as classically “inhuman.”

Singer might argue that killing leads to no ill effects if one feels that they are doing the right thing—that killing is what they ought to do under the circumstances, and behaving justly guards against ill effects. Such an assertion ignores evidence from war-veterans, those who work on animals in laboratories, and slaughterhouse workers. Evidence indicates that killing—even rubber-stamped, institutionalized killing—has a negative effect on those who carry out the deed (Eisnitz).

An employee at Biosearch Laboratories is reported to have said, “Once you’ve been here a few days, you lose respect for all living things” (Orlans 132). Educators in human and veterinary medicine repeatedly ask why students arrive “sensitive, concerned, idealistic, morally aware, and suffused with a desire to promote health and alleviate illness and suffering, yet emerge four years later cynical, hardened, brutalized, and rigid, their ideals and enthusiasm forgotten” (Rollin 110). Statistics from slaughterhouse employees reveal a similar “hardening” toward moral sensibilities, but to a more extreme degree. They are commonly in and out of prison, batter family members, and are known for their ability and willingness to wield weapons against any possible aggressor—including humans. Gail Eisnitz conducted an extensive survey of slaughterhouse workers. *All* of her subjects admitted to excessive, unnecessary cruelty toward the animals they perpetually kill. A fairly typical interviewee reported:

The worst thing, worse than the physical danger, is the emotional toll. If you work in that stick pit for any period of time [killing pigs], you develop an attitude that lets you kill things but doesn't let you care. You may look a hog in the eye that's walking around down in the blood pit with you and think, God, that really isn't a bad-looking animal. You may want to pet it. Pigs down on the kill floor have come up and nuzzled me like a puppy. Two minutes later I had to kill them—beat them to death with a pipe. I can't care...

Every sticker [slaughterhouse killer] I know carries a gun, and every one of them would shoot you. Most stickers I know have been arrested for assault. A lot of them have problems with alcohol. They have to drink, they have no other way of dealing with killing life, kicking animals all day long. If you stop to think about it, you're killing several thousand beings a day. (Eisnitz 87)

Though the killing is considered "legitimate," "necessary," and generally condoned by society, slaughterhouse workers seem to be affected—violently and negatively—by the deaths they cause. In turn, the societies they live in suffer the effects.

Eisnitz's work also reveals what seems to be an unavoidable moral numbness and indifference that results from institutionalized killing. Slaughterhouse owners are notoriously indifferent to their employees. For instance, it is not uncommon for workers to be injured, including those crushed by cattle, burned by chemicals, stabbed by poking knives, or who have lost limbs and body parts in machinery. Workers are sometimes not even trained to use the machines they are required to operate. Eisnitz discovered that, "with nearly thirty-six injuries or illnesses for every one hundred workers, meat packing is the most dangerous industry in the United States" (Eisnitz 271). She concluded that the effects of long-term involvement in slaughterhouse killing results in "a system that places nearly as little value on human life as it does on animal life" (Eisnitz 273). Gail Eisnitz's study indicates that the negative impact of killing is intense and extensive.

For centuries philosophers have assumed that cruelty toward animals begets cruelty toward people (Hoff 63-64). Kant wrote:

If a man shoots his dog because the animal is no longer capable of service, he does not fail in his duty to the dog, for the dog cannot judge, but his act is inhuman and damages in himself that humanity which it is his duty to show towards mankind. If he is not to stifle his human feelings, he must practice kindness toward animals, for he who is cruel to animals becomes hard also in his treatment of men. (Broadie 381)

It has long been assumed that wanton cruelty and killing, “even where one is sure the creature feels no pain, may encourage habits of cruelty. Thus one should prevent one’s children from crushing snails, not for the snails’ sakes, but to make sure they don’t get the idea of doing the same with baby chicks” (Forrester 117).

Current research supports this historic assumption. Evidence suggests that a lack of respect for *any* living being is associated with a lack of respect for *all* living beings. In 1983 a study linked animal abuse to child abuse, revealing that “88% of the families in which physical abuse took place also had animals that were abused” (DeViney, 311). Since then an ever-increasing body of evidence has clearly linked violence toward other animals and violence toward humans.

A recent study, Cruelty to Animals and Interpersonal Violence, offers an extensive collection of diverse materials linking cruelty toward non-human animals with child abuse, violence against women, and violent—often lethal—antisocial behaviour. The following quote is from an article that was first published in 1992 in the Canadian Veterinary Journal:

Research also found compelling evidence confirming intuitions that cruelty to animals, when perpetrated by children, might be a predictor of future antisocial behavior. Research documented: ...a triad of symptoms, closely associating cruelty to animals, physical abuse by one or both parents, and violence toward people...

Spectacular anecdotal incidents among serial killers enhanced this research. Mass murderer Theodore Bundy claimed he had spent his early years with a grandfather who assaulted people and tormented animals; circumstantial evidence linked him to animal's graves. Albert DeSalvo, the "Boston Strangler," in his youth shot arrows into dogs and cats trapped in orange crates... Carroll Edward Cole, executed in 1985 for five of the 35 murders of which he was accused, said his first act of violence as a child was to strangle a puppy. James Huberty, who killed 21 at a McDonald's restaurant in San Ysidro, California, had been accused of shooting his neighbor's dog with an airgun. Earl Shriner... sexually mutilating a seven-year-old boy in Tacoma, Washington, had a juvenile history of stringing up cats, sticking firecrackers up the anuses of dogs, and slaughtering chickens. In 1975, neighbors photographed the skulls of animals impaled in the yard of Jeffrey Dahmer, imprisoned this year for dismembering of 17 men in Milwaukee. None of these early incidents were reported to authorities. (Arkow 409-410)

Singer's utilitarian equation fails to calculate these possible dire consequences.

Though we humans are proud of our brain-power, most would agree that intelligence does not, and cannot, make us truly human. The word "human" looks very much like the word "humane." What most people would consider classically "human" is more illusive, and more likely to be damaged by acts of wanton cruelty and destruction of life. To accept institutionalized cruelty, even for the sake of aggregate happiness, threatens something more fundamental than aggregate pleasure: "people who cannot be trusted with animals often cannot be trusted with human beings either; a child who enjoys torturing small animals had better not be left alone with the baby" (Warren 51).

A baby that cannot live, and is left in peace to die, will be just as dead as one overtly killed, but the emotional and social indications and consequences are worlds apart. Singer's utilitarian expedience with the lives of individuals indicates that he has failed to account for this in his utilitarian equation.

3. *Mental Capacity.*

Singer asserts that "some features of certain beings... make their lives more

valuable than those of other beings:" a self-aware being, capable of abstract thought, of planning for the future, of complex acts of communication, and so on, is more valuable than the life of a being without these capacities (Animal 19-20).

Singer asserts that the criterion for deciding ethical actions is the outcome which brings the best consequences for all sentient beings affected. Singer writes, "...to take the life of a being who has been hoping, planning, and working for some future goal is to deprive that being of the fulfillment of all those efforts; to take the life of a being with a mental capacity below the level needed to grasp that one is a being with a future—much less make plans for the future—cannot involve this particular kind of loss" (Animal 21).

Singer indicates that preference and the ability to plan are not the sole determinants of whether or not one ought to live. Consistent with his utilitarian philosophy, Singer writes that it is always better to let a creature capable of enjoyment live out their life undisturbed (Singer, In Defense 9). However, he concludes that the death of a person who has been "hoping, planning, and working for some future goal" is a greater loss than the death of an individual who is unaware of having a future (Animal 21).

It is common for human beings to believe that there is something more tragic in their death because we assume that "...unity and continuity hardly have application to the lives of lower animals at all, which means... that there is here an entire spectrum of worth, on which *their* lives do not even figure" (Lockwood, "Singer" 167). We assume that because people plan for the future,

...[a] premature death can, as it were, make nonsense of much of what has gone before. Earlier actions, preparations, planning, whose entire purpose and rationale lay in their being directed towards some future goal, become, in the face of an untimely death, retrospectively pointless—bridges, so to speak, that terminate in mid-air, roads that lead nowhere. The lives of other animals tend, in contrast, to be mere meanderings anyway... (Lockwood, "Singer" 167)

Singer's theory determines which sentient creatures ought to live, while others die, based on aspects of mental ability. His assumptions regarding mental capacity, and the importance of mental capacity are common in Western Culture, yet clouded with epistemological difficulties.

a. *utilitarian calculations*: On the basis of assumptions regarding mental factors, philosophers such as Singer accept painless death: "If we painlessly end [a cat's] life while it is actually sleeping thus ensuring that not even a short-term desire, for food say, is, in consequence, denied satisfaction, it is difficult to see that we are thereby acting contrary to any preference, on the creature's part" (Lockwood, "Singer" 159).

First Singer's utilitarian calculation does not consider any loss for a thwarted interest in survival. Living entities *do* have an interest in survival (A. Taylor 252). Singer's theory is grounded on maximizing interests and diminishing suffering, and some measure of suffering must be entailed in the thwarting of the basic biological desire to avoid death. For this reason Singer's assessment seems contrary to his own goal of maximizing happiness.

Mental awareness is irrelevant to the basic desire not to die and the loss of pleasure entailed in an untimely death. If Peabody loses her wallet on the way to church, her money is lost whether or not she is aware of any loss, and her pleasures are diminished whether or not she is consciously aware that they are diminished. Similarly, most stray cats probably know nothing beyond hunger and homelessness; they are most likely unaware of all that might be lacking in their lives. Feral cats probably do not dream of soft chairs or dishes perpetually filled with crunchy nibblets. Still much *is* lacking in the lives of stray felines, and their happiness *is* decreased by deprivation. None of us can prefer a situation that is completely outside our experience—but few would deign to argue that the interests of starving or homeless people, who know no other life, are not thwarted by absence of food and shelter. Singer's utilitarian theory is based on actions that will bring the best

consequences for all those affected *whether or not the effected individuals are aware of what those outcomes or consequences might be*. On these grounds, Singer must reject painless death, and let sleeping cats lie.

Second, Singer asserts that having a plan for the future will make a particular life more "valuable," but he does not indicate whether or not *any* and *every* plan will suffice. Are some plans more valuable than other plans? If a cat sits outside the door, then dashes for the food dish when the door is opened, would we deny that the cat was planning to come in and eat? Is this plan less valuable or important to a utilitarian equation than my plan to go out to dinner tonight? Will the plan to become an artist yield more or less utilitarian benefit than the plan to become a military general? Will either one of these offer as much utility-value as a "plan" to do absolutely nothing?

b. *epistemological problems*: Singer's utilitarian calculation is based on how other entities think and feel. Offering conclusive information with regard to the feelings or thoughts of others meets with challenging epistemological difficulties.

By including mental factors in his utilitarian equation, Singer runs into the same epistemological problems faced by Regan. Singer writes: In general it does seem that the more highly developed the conscious life of a being, the greater the degree of self-awareness and rationality, the more one would prefer that kind of life (Singer, Practical 90). Why? How can we know? Perhaps it "seems" so to Singer, but he denies the moral validity of intuition ("Utilitarianism" 9, 327). How might Singer determine which creatures are able to have plans, hopes, and actions based on their personal assessment of their own future? How did Singer determine that the ability to prefer one's own existence over non-existence is a "pleasure" in the utilitarian equation? "A reflexive being has a kind of interest in life that an unreflective being lacks, but it is not clear exactly why this should give the reflexive being any greater claim on life, or make life more valuable or important. Why should mental complexity count for anything?" (E. Johnson, "Life" 130). And if it

should count for something, what are the units of measurement with which we will compare lives?

Though he offers no way to assess his criterion, Singer stakes the value of the lives of sentient beings on mental and physical aspects of other creatures:

taking the life of a person will normally be worse than taking the life of some other being, since a being which cannot see itself as an entity with a future cannot have a preference about its own future existence. This is not to deny that such a being might struggle against a situation in which its life is in danger, as a fish struggles to get free of a barbed hook in its mouth; but this indicates no more than a preference for the cessation of a state of affairs that is perceived as painful or threatening. Struggle against danger and pain does not suggest that the fish is capable of preferring its own future existence to non-existence. (Practical 81)

On what grounds does Singer assert that the fish does not prefer continued existence? Ascertaining consciousness is like “attempting to pin down shadows” (Ryder, “Painism” 200). How can we know what another entity prefers? If we assume the absence of certain mental states, such as a will to continue living, we are obligated to include human babies in this assumption. On what grounds would we assume that human babies have these “higher” mental characteristics (Lockwood, “Singer” 157)?

Like Singer, many people assume that fish feel little or no pain, and lack much in mental states. But fish have a complex nervous system. Evidence indicates that fish are “sensitive to pain, have memory and are capable of learning, and are conscious, or aware of, their existence” (Dionys de Leeuw 378). Fish have been conditioned to swim in a particular direction through electroshock (Rollin 31). While most people assume that fish are not self-aware, the biologist A. Dionys de Leeuw who worked extensively in sport fisheries management, has documented that “fish have all the relevant characteristics attributable to those animals requiring humane treatment from society generally” (373f,

389). The only characteristic that seems necessary for moral consideration that fish lack is cuddly cuteness. He asserts that fishing is morally outrageous because "the point of angling is to intentionally inflict pain, fear, and suffering on fish in a manner that prolongs and aggravates these conditions by first hooking them, then playing with them until they are exhausted, and finally establishing complete control over them by landing them" (389). Singer indicates that fish are outside moral protection, but he offers no indication that he has studied fish. The life and death decisions he makes seem to be based on his own unfounded assumptions.

Mental abilities are notoriously difficult to assess. Even levels of sentience are difficult to determine. How can we be sure whether or not a centipede can suffer? If it does suffer, how might we compare its suffering in a particular instance with the suffering of a rare and mysterious aye-aye in a similar instance? Some people believe that there are "great differences between animals in respect of their capacity to experience pain" (McCloskey, "Moral" 66). How can we know what any creature, outside of ourselves, feels?

Singer's assessment of mental states and levels of physical pain are subjective assumptions. We cannot know a baby's consciousness any more than we can know that of a fish or a kudu. "How can sufficient be known about the consciousness of other animals to form a moral judgment on these matters?" (Sprigge, "Metaphysics" 135).

Singer bases his utilitarian theory on sentience and mental factors, yet he does not demonstrate how either of these might be ascertained for all relevant species. Even if we could be sure of what other creatures feel, on what grounds have we determined that sentience is more important than other interests, such as the interest in being mobile, or in facing toward the sunlight? *There is good reason to be suspicious of sentience as a qualification for consideration of interests:*

If it would seem arbitrary... to find one species claiming a monopoly of intrinsic value by virtue of its allegedly exclusive possession of reason, free will, soul, or some other occult quality, would it not seem almost as arbitrary to find that same species claiming a monopoly of intrinsic value for itself and those species most resembling it (e.g. in type of nervous system and behavior) by virtue of their common and allegedly exclusive possession of sentience? (L. Johnson 233)

How can we know what a fruit-bat thinks or feels? How can we judge that a fruit bat is of less "value" —brings less desirable consequences for all those affected—than a busy human mind full of "rational," critical, analytical, thoughts and schemes? We cannot know if oysters are conscious, and our uncertainty is "*no reason* to despise their consciousness as *in itself* of less value to them than our own is to us" ("Life" 132).

What moral weight does such complexity carry? I incline to the view that each mind can be valuable to itself. There need be nothing *intrinsically* wrong with the mentalities of those who are "mad," "retarded," or "childish." That they are not what I want for myself does nothing to show that they are not valuable to *those* beings. Shouldn't every mind have a voice, even if I cannot hear it? (E. Johnson, "Life" 131).

Children are beloved *because of* their mental simplicity. If we are willing to acknowledge that these various states of consciousness are beautiful, we must reassess our denigration of other animals based on their mental capacity (E. Johnson, "Life" 131). Perhaps it is consciousness itself that is of value, not any particular *kind* of consciousness. (Jamieson, "Killing" 145). But since we are unable to determine which animals might have, or might not have consciousness, we will be obliged to offer the benefit of the doubt.

Singer assesses mental capacity and indicates a different "value" based on his assessment. Assigning greater or lesser value to individual lives is anathema to protectionist theories. Singer's theory demonstrates that "...once it is admitted that certain

forms of life are inherently more valuable than others (valuable to whom, incidentally, if not to humans?), then it has already been conceded that the allegedly 'more valuable' beings have a greater claim to life, pleasure, and freedom from suffering than those lacking the capacities in question" (Fox 113). Any such delineation has repercussions beyond the individuals directly involved. Any "tempting basis for making *interspecific* discrimination entails possibly counter-intuitive results with regard to *intraspecific* discriminations" (VanDeVeer, "Interspecific" 74).

Any theory that becomes enmeshed in considerations of mental aspects of other beings—whether their levels of pain or their mental abilities—will inevitably become embroiled in a discussion about which we have insufficient information. Singer admits that it is mere "imaginative reconstruction" to assess what the life of another being might be like (Practical 90).

c. *faulty conclusion*: Singer's assumption regarding the importance of mental ability is bolstered by a conclusion that does not seem tenable.

Singer's analogy forces readers to choose between saving a normal human being or an intellectually disabled human being. Singer concludes that we will probably choose to save the life of a normal human being, and he offers this as evidence to indicate that the way we value individual lives is influenced by the mental attributes of the individuals involved (Animal 20-21). Singer thereby concludes that the loss of certain lives (those with more complex brains) is a greater utilitarian loss (greater reduction of pleasure and increase in misery) for all those effected, than the loss of other lives (those with lesser mental complexity).

First, it appears Singer has incorrectly identified the reason for our probable choice. If we consider a situation where we must choose between two perfectly *normal* people, one with a mental capacity at the same level as Singer's "intellectually disabled" individual and one of above average intelligence, the choice is no longer clear.

Singer's example fails to demonstrate a human preference for self-aware beings, capable of abstract thought, that can plan for the future and engage in complex acts of communication. His example seems to highlight our preference for saving the lives of those who are not disabled, a preference for *non-damaged* beings, rather than a preference for higher mental ability.

Second, Singer's demonstration of common preference indicates nothing of utility. Singer fails to make a logical connection between the common human value placed on those that are not disabled, and maximizing pleasure for all those concerned. How does intelligence compute in terms of maximizing aggregate happiness?

Third, Singer asserts that the majority of people are likely to indicate that they ascribe a lesser value to individuals who have lower intelligence. A young gorilla named Lana scored 85 on a standard IQ test, higher than some humans (Rollin 23). Would Singer assert that most people would choose to save the life of Lana before the life of an adult human being that scored below 85? If so, Singer's conclusion does not match up with our actual choices; if not, Singer contradicts himself.

Finally, nowhere does Singer assert that choosing more intelligent beings over lesser intelligent beings is what we *ought* to do. Yet Singer implies that such a choice is indicative of what is proper and acceptable—of what is ethical. He offers no evidence that such a choice is *ethically preferable*, only that it might suit the intuitions of the majority. At best, his example asserts a common preference, *but not a moral preference*.

d. *cultural perspective*: Singer assumes that, all things being equal, the lives of those assumed to have hopes and plans for the future, which constitute an additional loss of pleasure if thwarted, are assigned more value. It is common to assume that there is something more tragic in the death of a human, and more valuable in human lives, due to our mental capacity.

It is questionable whether or not a higher mental level is associated with increased

happiness. Such a connection has not been demonstrated by Singer, and is by no means inevitable (Ryder, Animal 327). Perhaps it would be more reasonable for Singer's scales-of-utility to register a greater loss to the death of one who has *no* self-awareness and *no* future plans.

We assume that "much of what is bad about dying is anticipation of greater suffering and fear of what may lie beyond the grave (of which personal extinction may be the most terrifying), and regrets about unrealized goals... Consequently, death for animals is, on the whole, less of an evil than for humans" (Forrester 124-125). Yet, a "planless" being is living in-the-moment, without the stress of concern for tomorrow. One who plans for the future is apt to experience less joy in each moment, and is more apt to experience anxiety—not only about death, but about life. One who lives in the moment will avoid ongoing stress and tension worrying about tomorrow. Consequently, the life of one who is less self-conscious will hold less emotional and mental pain and misery.

This assessment of the value of higher mental states is well-supported in Eastern philosophy. Eastern thought favours simplicity—giving up all endeavors—as the shortest route to peace and happiness. Singer's assertion, which favours an individual with self-awareness and plans for the future, would fall on deaf ears in the Taoist world.

Tao "denotes simplicity, spontaneity, tranquillity, weakness, and most important of all, non-action (*wu-wei*).” Non-action requires people to allow nature to take its course (Chan 136). The Tao-Te Ching instructs people to "attain complete vacuity, / Maintain steadfast quietude" (147); Taoists "Manifest plainness, / Embrace simplicity..." (149). Lao Tzu is attributed with saying, "I alone am inert, showing no sign (of desires), / Like an infant that has not yet smiled..." (150), and "I know the advantage of taking no action" (161). Chuang Tzu, second only to Lao Tzu as a Taoist authority, taught that "the ultimate man has no self, the spiritual person has no accomplishment, and the sage has no name" (Mair, Wandering 5-6).

In the Taoist tradition Singer's prized attributes—self-awareness, planning, and aspiring to many deeds—are discouraged. Simplicity of thought and action is the ultimate way of being, and the way of the worthy sage. Taoists value a life that does not look to tomorrow, but lives in the moment, above one that is crowded with plans for the future.

Schools of Buddhism have a philosophy very like that of the Taoist tradition. The Ch'an (Zen) Buddhist master I-Hsuan (also from China) instructed his followers: "In Buddhism no effort is necessary. All one has to do is to do nothing, except to move his bowels, urinate, put on his clothing, eat his meals, and lie down if he is tired. The stupid will laugh at him, but the wise one will understand. An ancient person said, 'One who makes effort externally is surely a fool'" (Chan 446).

Singer's assumption that the human mind grants enhanced experiences and special moral status is broadly accepted in the West, but his assertion would not go unchallenged in the East. Eastern wisdom indicates that an individual with plans and hopes offers the *least* utility for all concerned. If one wishes to maximize happiness, one must abandon such conniving. Singer's assessment lies within the framework of a narrow, contemporary, Western, Protestant ethic.

e. *speciesist criterion*: Singer writes, "it would not necessarily be speciesist to rank the value of different lives in some hierarchical ordering" (Practical 90). And he insists that his theory is not speciesist:

...because it does not make a discrimination on the basis of species, but rather on the basis of characteristics that can arguably be said to be morally relevant. Its nonspeciesist nature is apparent from the fact that in accordance with this position the life of a member of another species could certainly be more valuable than the life of a grossly retarded member of our own species. ("Fable" 121)

True, making such assessments is not *necessarily* speciesist, but if one happens to

value the particular attributes of their own species (mental capacity) above the most noticeable aspects of all other species, they fail to be impartial. Only non-normal adult human beings fall outside Singer's protected category. The moral "value" of all other entities hinges on treasured human qualities, such as self-awareness, which is difficult to ascertain in other species. In this way Singer's theory favours human attributes. He argues that these attributes enhance the aggregate happiness, but he fails to consider other characteristics that might also enhance the aggregate happiness, but which human beings do not have. He draws conclusions without the benefit of concrete methods of measuring mental states and levels of sentience.

The danger of Singer's approach is easy to expose. What if Singer argued that having an opposing thumb made one physically more adept, and therefore more valuable? He could assert that this is not a speciesist criterion because not all humans have opposing thumbs. (Some thumbs are missing either at birth or through accidents.) What if Singer argued that testosterone makes one stronger, and therefore enhances one's pleasure in life, and simultaneously enhances one's weight in a utilitarian equation? He could assert that his view is not sexist because some women have levels of testosterone that are higher than those of some males.

In either case, such arguments cloud the issue—opposing thumbs are a peculiarly human trait; high levels of testosterone are a peculiarly male characteristic. Thumbs and testosterone offer certain advantages (especially if you wish to engage in war), but so do the attributes of other animals and women. Similarly, the mental propensities of human beings offer certain advantages, but so do the mental attributes of other animals. A long, strong tail or trunk offers advantages that we cannot enjoy, although monkeys and elephants can and do enjoy these advantages. Singer has chosen a *peculiarly human mental capacity* to include in his assessment of the value of life. His choice is no less arbitrary than that of testosterone. The only real difference seems to be that one is sexist

and the other is speciesist.

Singer's utilitarian theory is based on maximizing happiness. Toward this end he offers special consideration for entities with particular mental abilities. Singer fails to consider the importance of other attributes with regard to his utilitarian assessment. For instance, Singer does not consider the importance of characteristics such as most nurturing, best swimmer, or gentlest—none of which are the special and exclusive realm of human beings in relation to other species, but all of which might maximize pleasure.

Instead, Singer favours certain mental abilities—mental abilities in which humans seem to specialize—and he hinges increased life-value on these attributes. Yet the human brain is part and parcel of many questionable tendencies, such as unceasing material acquisition and gruesome meditated violence: “having started with man as the uniquely rational animal, we come finally face to face with man as the only animal who systematically slaughters his own kind. ...humans are especially dangerous” (Rodman 17). If one looks more closely at the human animal, there is ample reason to favour non-human attributes.

Conclusion

Peter Singer's utilitarian sentience-based theory conclusively demonstrates that “there is no consistent way to draw nonarbitrary *moral* lines based solely on species differences” between humans and all other animals (Orlan 24). His work entails epistemological difficulties, and may not adequately protect each individual, yet Singer's theory is popular because most people recognize that “animal pain and suffering... are factors of which account is to be taken in our moral deliberations” (McCloskey, “Moral” 24). Singer's simple theory has helped bring protectionist philosophy—particularly speciesism—to the forefront of classrooms, into philosophical journals, and to audiences all over the Western world.

III. ANDREW LINZEY: THEOLOGICAL PROTECTIONISM

Andrew Linzey has been, and remains, the dominant voice for a theological justification of protectionism. Linzey rejects the traditional Christian view that God has granted people the right to use other animals for their own ends. Linzey asserts that exploitation of other animals violates God's will, as expressed in the Bible, and that God intended people to offer self-sacrificing service to other animals.

A brief history of the church with regard to protectionist ideals, including Aristotle, Aquinas, theologians, and saints, provides a context for Linzey's work. Linzey's work discusses biblical teachings regarding creation and the covenant, and biblical challenges to his thesis, including animal sacrifice, dominion, and the eating of flesh. Finally, Linzey examines the New Testament, focusing on the life of Christ, the fall and salvation, and hierarchy. Based on his examination of the Bible, Linzey asserts a Generosity Paradigm, which requires Christians to exhibit self-sacrificing service toward all of creation.

A. *Historical Survey.*

Historically, the weight of the Christian church has been anti-protectionist. Animals have most often been viewed as chattel for our purposes, slaves to our needs, offerings for sacrifice: unclean, irrational, anti-God, and bereft of souls (Linzey, After 3-11). Centuries later, many are dismayed that Christians continue to be "largely or wholly instrumentalist in their understanding of animals" (Linzey After 10-11).

The thirteenth century theologian, Thomas Aquinas, maintained tremendous influence over Christianity for seven centuries. He believed that non-human animals were put on earth for human purposes. Most contemporary church doctrines accept the teachings of Aquinas, yet his teachings stem from pre-Christian sources, namely Aristotle.

Aristotle taught that all of nature is a hierarchy where creatures with less reasoning

ability exist for the sake of those with more (Aristotle, Nicomachean 1:7, 8:12). As a result, he believed that those incapable of moral deliberation had less responsibility and fewer privileges (Clark, "Rights" 184). He taught that a more rational mind was part of a more complete and perfect individual. 'The imperfect are made for the perfect,' and non-human animals exist for the sake of human beings (Aristotle, Politics I. 5-8). "Plants exist for the sake of animals, and brute beasts for the sake of man, domestic animals for his use and food, wild ones for food and other accessories of life, such as clothing and various tools. Since nature makes nothing purposeless or in vain, it is undeniably true that she has made all animals for the sake of man" (Aristotle, Politics 16). Aristotle used animals for his purposes, keeping a large museum of 'specimens' from other species, which were "drawn, dissected, described, and classified" (Thomson 20-21). The Greek tradition, so much a part of Christianity, saw nature as one great resource for the use of human beings. We have inherited this "general philosophic indifference toward the natural environment" and toward other animals (Hart 13).

Aquinas pulled Aristotle's ideas into Christian Theology (Linzey, After 6). He mimicked Aristotle's point of view, but ascribed these ideas to the Almighty.

There is no sin in using a thing for the purpose for which it is. Now the order of things is such that the imperfect are for the perfect... things like plants... are all alike for animals and all animals are for man. Wherefore it is not unlawful if men use the plants for the good of animals, and animals for the good of man, as the philosopher [Aristotle] states (Politics I, 3).

Now the most necessary use would seem to consist in the fact that animals use plants, and men use animals, for food, and this cannot be done unless these be deprived of life, wherefore it is lawful both to take life from plants for the use of animals, and from animals for the use of men. In fact this is in keeping with the commandment of God Himself (Genesis i, 29, 30 and Genesis ix, 3). (Aquinas, II, II Q64, art. 1.)

Aquinas concludes: "considered in themselves animals have no reason and no rights, and humans no responsibility to them" (Linzey, Animal 15). Aquinas taught that

animals have no moral status except through human interest—as human property (Linzey, Animal 13), a point of view that has only just begun to be challenged.

Aquinas supported his Aristotelian view by asserting that

- animals lack rationality
- animals are designed for humans by their very nature
- animals are made for humans by divine providence
- animals lack immortal souls

He concluded, “Hereby is refuted the error of those who said it is sinful for a man to kill dumb animals: for by divine providence they are intended for man’s use in the natural order. Hence it is no wrong for man to make use of them, either by killing or in any other way whatever” (Regan, Animal 58-9). Yet “the argument by which Aristotle linked rationality and immortality has been regarded as fallacious by most philosophers, and his claim that only humans are capable of rationality is equally dubious. Thus, today’s standard Christian belief that only humans have immortal souls is, at least in part, based on the unsound arguments of a non-Christian philosopher” (Singer, “Animals” 227). Aquinas’ Aristotelian point of view is not theologically defensible, as Linzey’s work demonstrates.

The only objection early Christian thinkers raised with regard to cruelty to animals was that it might lead to cruelty toward other humans (Schochet 274). The views of Aquinas, based on Aristotle, laid a foundation for current Christian attitudes toward other animals that culminated in Descartes. Descartes, a seventeenth century Christian, asserted, that animals could not feel pain because they have no minds and no consciousness, as evidenced by their lack of language (Descartes 116-117). Descartes carried on the ancient tradition of emphasizing rationality, but he carried the importance of rationality to new heights. In his mind irrational non-human animals were mere automata—completely “other” by virtue of lacking rationality. Descartes’ assertion launched a more vigorous tendency to view other animals as separate and beneath human beings.

Descartes’ assertions had dreadful consequences for animals in the Western world, especially in the hands of science (Regan, All 5). In the course of time, his idea that rationality is the root of respect for life has bolstered much prejudice between human

beings—white men assumed themselves to be the crowning achievement in rational thought, while women and other races are considered inferior (Attfield 17).

Descartes' dualistic vision is in many ways unsatisfactory, both philosophically and religiously. Religiously speaking, Christ was born both of the Virgin Mary and of Spirit. Though Mary has never represented reason, intellect, or wisdom, she was highly regarded by all Christians until the Protestant reformation. Mary continues to have great power and prestige in the Catholic Church. Philosophically, Descartes' focus on rationality is equally unsatisfactory, for rationality is recognized as morally irrelevant with regard to respect for life. If this were not the case, irrational human beings would be expendable. Although Descartes' dualistic vision is unsatisfactory, many human beings continue to emphasize the importance of rational thought with regard to respect for human life. Descartes' extreme dualistic teaching has been used to justify human dominion and exploitation for centuries.

In the aftermath of Descartes' influence, the theologian Humphrey Primatt offered the first theological argument for extending justice to other animals. Primatt, a predecessor of Singer's sentience-based theory, asserted that pain is pain, regardless of who feels the pain. He viewed nature as proof of the goodness of God, and offered a theological, sentience-based argument for the protection of other creatures (Linzey, Animal 15-16). He asserted that those who were cruel acted as atheists; justice requires us not to cause pain to God's creation (Linzey, After 10).

Primatt was the first Christian scholar to defend other animals, but hagiographies offer ample proof that the lives of Saints have always offered a model of protectionism (Linzey, After 70). Hagiographies reveal that those closest to God are also close to God's myriad creatures.

St. Francis of Assisi is the most famous protectionist saint. For Saint Francis God was present in all creatures (Hughes 315). "He asked for captive animals, and cared for or released them. If wild animals were given to him, he treated them gently and let them go. Often they sensed his friendship so strongly that they stayed near him instead of fleeing" (Hughes 317). "Francis saw God expressed in the morphological variety of creation; he valued every species and was drawn into wonder and prayer by individual

creatures" (Hughes 316). He insisted that his followers exemplify compassion for all creatures, and it was his deepest hope that kindness might come from all people toward the created world.

The compassionate attitude of St. Francis was neither unique nor new. Christian protectionism had precedents in early and medieval Christian ideas about nature, and was supported by Biblical passages (Hughes 313). Many saints rejected the classic separation between human and nature (Polk 185); benevolence toward all living creatures was relatively common in the lives of saints. Hagiographies demonstrate that saints, known for their proximity to the God and the Christian ideal, were generally compassionate and tender toward all entities.

Hagiographies frequently explain a special relationship between saints and other animals. Sometimes non-human animals assisted saints, such as the wild ass that helped Abbot Helenus. At other times animals were helped by saints—especially against the cruelties of humans—such as when St. Godric harbored the hunted stag. Stories of the lives of saints also credit animals for having a special spiritual understanding that humans lack, as in the story of Saint Columba's white horse (Waddell). Many saints, such as St. Jerome, St. Guthlac of Croyland, and St. Godric lived with wild animals that protected them; animals were their closest companions. Saint Kieran of Saighir "lived with a wild boar, a fox, a badger, a wolf and a deer" (Vischer 26).

Saints demonstrate "a reversal of the relationship of fear and enmity between humans and animals that appertains after the Fall and the Flood" (Linzey, After 100). For those closest to God, the fragile nature of non-human animals, and their complete subjugation to the ever-growing power of human beings, lends those with Godly love to feel a Christian attitude of charity and protective tenderness (Polk 185). What we can learn from these "countless saintly examples is that to have a relationship with God the Creator can also mean having as a consequence trusting friendships with God's other creatures" (Linzey, After 101).

The connection between spiritual leaders and non-human animals *runs through the Divine*. "If animals are spiritual beings—in the sense of being creatures with their own

relationship to the Creator—then it must follow that in our encounter with them we apprehend—to some degree—the Creator or at least the workings of the Creator” (Linzey, *After* 58). The monk Thomas a Kempis, who wrote one of the most influential works of Christian literature, wrote, “If your heart were right, then every creature would be a mirror of life and a book of holy doctrine. There is no creature so small and mean that it does not put forth the goodness of God” (69). It was common for saints to see creation as a “reflection of God’s mysterious love” an understanding of which allowed one to “come closer to the Creator” (Linzey, *After* 71). One of the greatest Catholic mystics, St. John of the Cross, noted that animals “are all clothed with marvelous natural beauty, derived from and communicated by that infinite supernatural beauty of the image of God” (Linzey, *After* 79).

Although benevolence and compassion toward all creatures has been central to the lives of many exemplary Christians, Christians have ignored this message. Instead, Christians have defended notions of human dominion and exploitation, including central figures such as Pope Pius IX and reformers such as Calvin and Luther (Linzey, *After* 7, 10). In spite of the overwhelmingly exploitative attitude of Christians toward creation, there have always been voices to offer a religious understanding that does not admit of human supremacy. Such is the voice of Andrew Linzey.

B. *Linzey’s Generosity Paradigm.*

Linzey reveals theological support for the inclusion of non-human animals in Christian morality beginning with two broad topics, creation and the covenant.

1. *Creation.*

Genesis One reports that the elements of creation were made first, then vegetables, and finally (on the sixth day) animals, including man and woman:

And God said, ‘Let the earth bring forth living creatures according to their kinds: cattle and creeping things and beasts of the earth according to their kinds.’ And it was so. And God made the beasts of the earth according to their kinds and the cattle according to their kinds, and everything that

creeps upon the ground according to its kind. And God saw that it was good. Then God said, 'Let us make man in our image, after our likeness.'" (Gen. 1:24-26)

a. *shared origins*: Linzey notes two important details concerning biblical creation:

- We are next to all other animals in the creation hierarchy and therefore must not assume we are radically different, above, or in a separate sphere.
- Because creation originated with the creator, Christians are obligated to treat God's loving bounty with respect.

Linzey notes that Genesis One posits "circles of greater or lesser intimacy with God. But what is often overlooked is that animals belong to the innermost circle of intimacy... land animals and humans are created together on the sixth day" (Linzey, Animal 34). Our shared origins indicate that "we cannot logically claim our own value before the Creator without acknowledging the value of other creatures as well" (Linzey, After 13). "To affirm creation as God's work is to understand oneself as a creature" (Linzey, After 12). Linzey asserts that "the common creatureliness of all creatures" is the strongest message of Genesis One (Linzey, After 18).

Linzey asserts that this creation doctrine has moral ramifications: "animals do not need to justify themselves before God, for their existence *is* their justification. All creatures glorify God, especially the plants and animals, for they are simply blessed in being what they are" (Linzey, After 72). Linzey argues that non-human animals, because they are created by God, "must... have moral worth in themselves" ("Animal" 90). "Concern for animals, for all the aspects of the created world, is essential not because these things are pleasing to us humans... but because they originate with the creator" (Linzey, "Liberation" 512).

Archbishop of Canterbury (Robert Runcie, 1988), announced that the Christian "concept of God forbids the idea of a cheap creation, of a throw-away universe in which everything is expendable save human existence. The whole universe is a work of love. The value, the worth of natural things is not found in Man's view of himself but in the goodness of God who made all things good and precious in his sight" (Linzey After 13).

This world, and all of life, is “the object of God’s sustaining and providential love” (Linzey, After 80). “...every creature is a blessed creature or it is no creature at all... We must view creation from God’s own perspective and not our own. All creatures are precious because they originate with God, just like human beings.

b. *idolatry and humanism*: Linzey warns that if people hold themselves up as the yardstick against which other beings are to be assessed—which we have done for centuries—then we are *idolaters*. The worth of every creature does not lie in whether it is beautiful (to us) or whether it serves or sustains our life and happiness... Only God, and not man, is the measure of all things” (Linzey, “Liberation” 513). Human beings who look to Homo Sapiens as the measure from which one might pass judgment on the worth of other creatures are idolatrous because their religious ideal is human, not divine. Such a vision deifies people by regarding the interests of human beings as the sole, main, or even exclusive concern of God the Creator” (Linzey, After 118).

Creation is a hierarchy, but if we fail to acknowledge God above and before our judgments and ourselves, then we fail to focus our devotion on God, and we become idolatrous. “While it cannot be doubted that humans hold a high place in creation,” it does not follow that people can single-handedly determine how to treat creation based on what we prefer (Linzey, “Animals” 33). In the Christian faith God alone is the measure of all, not human beings. If Christians “neglect the place and significance of other creatures in God’s good creation, Christian theology fundamentally weakens itself, and its claim to be... God centered” (Linzey, After 119).

Our current focus on ourselves is an affirmation of *humanism*, where humans are the measure of all things. Both idolatry and humanism are inimical to Christian teachings. “The welfare of humanity has become the dominant ideology of our age... belief in God might require us to modify or qualify the demands made for human welfare...” (Linzey, After 121). Linzey asserts that we cannot justify everything that we do simply because we believe it to be in *our* best interests. He encourages Christians to see the “Creator’s interest in the rest of creation, the intrinsic value of each creature in God’s sight,” and acknowledge “the justice and mercy of God which extends to all works of creation”

(Linzey, After 120). This view rejects humanism and puts God back at the centre. For “God has created a world of millions of species that are for the most part utterly otiose and irrelevant to us” (Linzey After 122). We are *not* the centre of the created universe, and all things were *not* created for our purposes.

The Jewish and Christian traditions are united in their conviction that the world of living creatures exists because God loves them, and sustains them, and rejoices in them. But if we do not sense this divine rejoicing throughout creation it is perhaps not surprising that we live mean, narrow, self-centered, essentially exploitative lives.

The central point is that celebration involves the recognition of worth, of value, outside ourselves.

Human beings are not the sum total of all value. (Linzey, After 12)

Contemporary idolatry and humanism demonstrate arrogance and wanton pride. Both assume that human beings are the centre and measure of all. Christians, following Aristotle's lead, have based morality on this over-inflated attitude of human self-importance. Through our “simple-minded humanistic utilitarianism,” we have smugly assumed that “what is good for us, must be right with God” (Linzey, After 124). Our “spiritually infantile” attitude, after centuries of entrenchment and growth, allows us to use “sentient creatures simply as walking ‘spare parts’ for human beings,” to patent them as “financial returns” on human ingenuity (Linzey, After 125).

Linzey rejects Aristotle's humanocentric influence over doctrine, and challenges Christians to put God back in the centre of their lives. The Bible teaches that the created world faithfully reflects the design of a loving and generous creator—a world that can exist, and can only continue to exist, through God's attentive care: “The Lord is good to all, and his compassion is over all that he has made” (Ps. 145:9). God's loving beneficence is expressed in creation. “God enjoys creatures. God rejoices, as the psalmist says, in ‘the works of his hand’” (Linzey, After 104). If we treat our world with loving care, we acknowledge creation as priceless; we express a theological understanding of reverence for God's works. Faithful Christians ought to remember that creation is not ours, but God's,

and “we must never destroy without serious justification and without acknowledging that all life belongs not to us but to God” (Linzey, After 105).

2. *Covenant.*

Linzey notes that the biblical covenant is between God and *all of creation*. Scripture regarding this divine covenant is no less than redundant in its emphasis on God’s agreement made with *all creatures*:

Then God said to Noah and to his sons with him, “Behold, I establish my covenant with you and your descendants after you, and with every living creature that is with you, the birds, the cattle, and every beast of the earth with you, as many as came out of the ark. ...never again shall there be a flood to destroy the earth.” And God said, “This is the sign of the covenant which I make between me and you and every living creature that is with you, for all future generations: I set my bow in the cloud... I will remember my covenant which is between me and you and every living creature of all flesh; and the waters shall never again become a flood to destroy all flesh. ...I will look upon it and remember the everlasting covenant between God and every living creature of all flesh that is upon the earth.” God said to Noah, “This is the sign of the covenant which I have established between me and all flesh that is upon the earth.” (Gen. 9:8-17)

Five times this biblical passage asserts that God’s covenant includes “every living creature;” indicating that this inclusion is of particular importance. It is not written that the covenant was made between God and people *about* the rest of creation. Rather, scripture informs us that God established the covenant *with all created life*. For the purposes of God’s covenant, “humankind and animal-kind are so integrally related they cannot really be separated” (Linzey, After 22).

Other passages in the Hebrew Bible (Old Testament) support Linzey’s emphasis on a shared covenant. For instance, animals (including humans) are protected from work on the Sabbath. Neither human slaves nor burrows are to be burdened (Myers 897). Hebrew law teaches the faithful to “refrain from causing distress to any of God’s creatures.” The Hebrew Bible demands moral inclusion of animals in passages such as Proverbs 12:10, “A

righteous man has regard for the life of his beast, but the mercy of the wicked is cruel,” and Deuteronomy 25:4, “You shall not muzzle an ox when it treads out the grain. “These ancient regulations, virtually forgotten, bespeak an eloquent awareness of the status of animals as ends in themselves” (Rollin 52). Ample evidence indicates that Jewish and Christian exploitation of non-human animals is contrary to biblical teaching, and that only the compassionate can be considered righteous (Linzey, After 23-4).

The protectionist tendencies of the Hebrew Bible have not gone unnoticed. Rabbinical exegesis specifically calls attention to

- God’s over-arching, providential care;
- the need for humans to emulate such care in their dealings with animals;
- Sabbath regulations concerning animals; and
- the underlying scriptural principle of compassion. (Linzey, After 24)

Jewish sacred writings offer a wealth of teachings that denounce exploitative attitudes toward creation. These writings support God’s covenant as between the divine and all of creation. The God that created them protects all creatures of the earth.

3. *Challenges.*

The Bible also presents challenges to protectionism. Linzey discusses three stumbling blocks: animal sacrifice, the consumption of flesh, and notions of dominion.

a. *animal sacrifice*: Animal sacrifice in biblical times was viewed differently from what we think of today. Furthermore, there is evidence that attitudes toward sacrifice were changing, and that such rituals were controversial in Biblical times.

The Judeo-Christian God sometimes appears a rather arbitrary and bloodthirsty deity in the Hebrew Bible: After God brought the flood to destroy creation, Noah and his family offer animal sacrifices, and “the Lord smelled the pleasing odor” (Gen. 8:21). First God creates sentient creatures, then the Divine brings destructive forces down on what has been created, and finally the Almighty seems pleased by the spilling of blood and the cooking of flesh as a religious sacrifice. After ordering Noah to protect and preserve each created animal by taking them on the ark, God delights in their sacrificial blood. This passage is as powerful in its brevity and clarity as it is in its implications. How are

protectionists to make sense of these apparent contradictions?

Passages such as these raise fundamental concerns regarding the value of life, including human life: "God created all the animals, not just humans... one might think that to kill any animal is to destroy God's property, and thus to 'play God.' Just like euthanasia" (Singer, "Animals" 229). What are we to make of Abraham's willingness to sacrifice Isaac, the destruction of life in the flood, and the blood of Christ on the cross? What are Christian moral obligations with regard to life and death? What are our moral obligations in light of honouring God's creation and sacrificing one another to the divine?

Linzey approaches the issue of animal sacrifice from five different angles. First, he cites three scholars (Mascall, Masure, and Yerkes) to elucidate the ancient implications of this practice. In biblical times this blood-ritual was not viewed as the destruction of animals for human ends, but rather as offering completion, the returning of animals back to their Maker (Linzey, Animal 104). Animal sacrifice is yet another acknowledgment of the inclusion of all animals in God's munificence. Sacrifice returned entities to the creator, and was a "confirmation of their existence beyond death" (Linzey, After 5).

Human sacrifice was no different, and in this light there is no reason why Isaac ought not to be sacrificed... except out of compassion for the family. Indeed, God shows compassion for Abraham, and allows a ram to be sacrificed in Isaac's place. (Presumably the ram did not have close family ties.) Biblical death is not viewed as anathema, but as completion, shared by non-humans and humans alike.

Second, while many biblical objections to animal sacrifice were directed against cults of the time, these objections also seem to be against the spilling of blood for religious purposes (Linzey, Animals 105). Death per se does not seem to be an issue, but killing as a religious ritual was an issue, which makes sense in the context of death as a completion.

Linzey cites a biblical passage in the Prophets in which the Lord speaks: "What to me is the multitude of your sacrifices? I have had enough of burnt offerings of rams and the fat of fed beasts; I do not delight in the blood of bulls or of lambs, or of he-goats" (Isa. 1:11). The voice of God denounces animal sacrifice.

Third, Linzey cites scriptures that speak out against animal sacrifice because blood-

rituals detract from more important spiritual actions. The Bible indicates that, rather than kill for God, people ought to live for one another. Instead of killing the fatted lamb, tend the downtrodden; rather than cover your hands with blood, fill your hearts with directive compassion. "When you spread forth your hands I will hide my eyes from you; even though you make many prayers, I will not listen; your hands are full of blood. Wash yourselves; make yourselves clean; remove the evil of your doings from before my eyes; cease to do evil, learn to do good; seek justice, correct oppression; defend the fatherless, plead for the widow" (Isa. 1:15-17). The Divine does not prefer that we spend our time sacrificing animals when there are many more worthy deeds that require our attention.

Fourth, Linzey notes that God's all-inclusive ownership makes animal sacrifice pointless. He refers to biblical passages where God reminds the faithful that *all of creation is God's*—God's from inception. Why would we offer to the Almighty what is already God's? "I will accept no bull from your house, nor he-goat from your folds. For every beast of the forest is mine, the cattle on a thousand hills. I know all the birds of the air, and all that moves in this field is mine" (Ps. 50:9-11). Something is decidedly askew when one member of creation offers up another member of creation to the Creator.

Linzey culminates his discussion of animal sacrifice with reference to the New Testament, highlighting the Christian rejection of animal sacrifice. Those who follow Christ "believe that the sacrificial tradition has reached its ultimate point and climax in the sacrifice of Christ... through him, and not through the sacrifices of animals... we are able to find ourselves in our Father's presence" (Linzey, Animal 105). Christians look to Christ as the eternal, ultimate sacrifice that annuls and makes reprehensible all other forms of sacrifice. For Christians, the New Testament completes and fulfills the Hebrew Bible, and the coming of Christ abrogated animal sacrifice.

b. *dominion*: The "Dominion Thesis" is "...human chauvinism, according to which items outside the privileged human class have zero intrinsic value, ...earth and all its non-human contents exist or are available for man's benefit and to serve his interests..." (Routley 56). Those who accept the Dominion Thesis believe that "man is entitled to manipulate the world and its systems as he wants, that is, in his interests" (Routley 56).

“With this worldview, [we] see with arrogant eyes” a world in which everything is organized in reference to our own interests (Curtin, “Making” 66).

The belief that humans have dominion over the rest of creation reaches back to the teachings of Aristotle, and has become deeply entrenched in contemporary Judaism and Christianity. Western religions have made a bad name for themselves amongst protectionists, especially environmentalists, by accepting—insisting on—exploitative dominion. Christians who accept the “dominion thesis” believe that “animal life is of little or no value—for why else would God have given humans dominion over the other animals and told us that we may kill them for food?” (Singer, “Animals” 230).

Most theologians who have sought an environmentally sound theology within the Christian tradition have rejected traditional notions of dominion (Nash 95). Linzey rejects *traditional* notions of Christian dominion, but *accepts human dominion as ordained by God*. He interprets Christian dominion as a responsibility; protective rather than exploitative. Biblical commentary with regard to the divinely ordained diet supports Linzey’s assertion.

c. *flesh-eating*. Linzey asserts that a fleshless diet, as presented in Judeo-Christian scripture, is the most thoroughly supported of all protectionist claims, and he notes that dominion was granted to *vegetarian* overlords (Animals 126):

God blessed them, and God said to them, “be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth.” And God said, “Behold, I have given you every plant yielding seed which is upon the face of the earth, and every tree with seed in its fruit; you shall have them for food. And to every beast of the earth, and to every bird of the air, and to everything that creeps on the earth, everything that has the breath of life, I have given every green plant for food.” And it was so. And God saw everything that he had made, and behold, it was very good. (Gen. 1:28-31)

This passage holds the original, divinely ordained diet for human beings (Buttrick 1: 486), and it is “altogether a vegetarian food supply” (Allen 1: 132). According to

Hebrew scripture, even animals that we know as carnivores originally ate only vegetable matter. Consistent with God's original plan, "Judaism has invariably held vegetarianism to be the ideal God-given diet for human beings" (Linzey, After 57). Christianity has not.

The point of Genesis 1:29 "is not what man may eat, but rather that he may not eat flesh." This scripture echoes back to "a primitive golden age when men were at peace with the beasts" (Buttrick 1: 486). Genesis One envisages an ideal world, created by an ideal God, in which "overlordship does not include the right to kill animals for food" (Allen 1: 132). "Man is thus to be a vegetarian" (Buttrick 1: 486).

After placing vegetarian humans in charge of a vegetarian creation, God is pleased and notes that his creation is "very good" (Gen. 1:31). Then God places people in the peaceful garden to "till and keep" what had been created (Gen. 2:15). The dominion offered by God was not exploitative or humanocentric. "Dominion" has been twisted to "comply with preconceived ideas and established practice" (Linzey, After 18). "[H]erb-eating dominion is hardly a license for tyranny" (Animal 126).

The traditional Dominion Theory justifies ancient human practices, "including the killing of animals for food—a practice that was, no doubt, in existence long before *Genesis* was written" (Singer, "Animals" 231). Rather than bend our ways to comply with God's intent, Christians have custom-tailored the meaning of "dominion" to allow for selfish acquisition and brutal dominance.

Genesis informs us that people were "set over the world to look after it, to care for it, as God would do" (Linzey, After 19). Linzey reminds Christians of this original world of peace and harmony, "free from violence, predation, strife and cruelty," about which God comments that it is "very good," and rests on the seventh day with all of creation (Linzey, After 20). In God's ideal world "dominion" was a labour of love.

How did the creatures of God come to eat one another? The answer shows up later in Genesis. First God observes changes on the peaceful earth that had been created: "Now the earth was corrupt in God's sight, and the earth was filled with violence. And God saw the earth, and behold, it was corrupt; for all flesh had corrupted their way upon the earth. And God said to Noah, 'I have determined to make an end of all flesh; for the

earth is filled with violence through them; behold, I will destroy them with the earth” (Gen. 6:11-13).

But God does not destroy all of creation. After causing a great flood, the Divine offers a rainbow as a promise to the survivors (all creatures) that such destruction will never be brought upon them again. At this point God grants Flesh-eating *in despair* at the sinful nature of human-kind. The Almighty looked upon the earth, at the corruption and violence creation had wrought, at the damage of the flood, and God seems to accept the demise of the original peaceable kingdom.

Linzey notes that allowing flesh-eating is a divine gesture of reconciliation and acceptance of creaturely shortcomings. God grants that humans might eat the bodies of other creatures, but this new diet is a *concession* given after great upheaval—*it is not what God intended or preferred* (Linzey, Animal 127). In marked contrast to the original dietary announcements, the tone is threatening and divisive: “The fear of you and the dread of you shall be upon every beast of the earth, and upon every bird of the air, upon everything that creeps on the ground and all the fish of the sea; into your hand they are delivered. Every moving thing that lives shall be food for you; and as I gave you the green plants, I give you everything” (Gen. 9:2-4). Eating flesh is not presented as ideal, or even good; it is merely tolerated. Linzey reminds Christians that eating flesh was a concession granted to humans when they proved incapable of doing any better (Animal 127).

Immediately after God accepts flesh-eating, God sought to restrict human carnivorous inclinations. The nature of these restrictions reminds us that God is not happy about the new order of violence and exploitation (Linzey, Animal 27). Genesis 9:4-5 informs flesh-eaters that they are accountable to the Creator for any animals killed. God granted flesh-eating to sinful humans but the Divine adds, “you shall not eat flesh with its life, that is its blood. For your lifeblood will surely require a reckoning; of every beast I will require it and of man” (Gen. 9: 4-5). “Life is everywhere and always God’s peculiar possession,” and through such added restrictions God’s “law is universalized and made a law of all life—human and animal” (Allen 1: 155). We are accountable for what we kill. The peaceable kingdom, a vegetarian world, remains the divine ideal (Linzey, Animal

129).

Other biblical scholars agree with Linzey's assessment. When people were granted the right to eat meat "it marked the end of the golden age... in which men lived in harmony with the beasts" (Buttrick 1: 549). With the flowering of violence, the world is no longer the peaceable kingdom created by God. *Meat eating was never God's ideal*—preying on one another was not God's original idea of how we *ought* to live. The dominion God originally intended did not include flesh-eating.

3. *Life of Christ.*

Jewish ideas with regard to non-human animals have been foundational to Christianity and Western culture (Linzey, After 17). Judaism has been more important to Christian faith and practice than the non-religious teachings of Aristotle. Yet, in contrast with the Hebrew Bible, the New Testament offers little explicit information about how humans ought to behave toward other animals.

There is relatively little about animals in the New Testament. They are referred to incidentally in descriptions of everyday life and appear in parables and figures of speech, but they are never the express topic of any passage... The Old Testament point of view on animals was taken as valid in Judaism at the time of Jesus, and in the New Testament is considered as self-evident. (Vischer 15).

Linzey admits that the silence of the New Testament on protectionist matters poses difficulties. He discusses the life of Christ as the most important indicator of an ideal Christian lifestyle.

Little mention is made of animals in the New Testament. And when they are mentioned, comments sometimes seem flagrantly non-protectionist, such as the incident with the swine of Gerasene (Mark 5:11-14). Linzey notes that even with regard to a vegetarian lifestyle the New Testament is problematic—Christ ate fish. While it is not expressly stated, it is generally assumed that Jesus also ate lamb at the Passover meal (Linzey, Animal 132). (Many assume so without question, though the contents of the Passover meal are not described.)

In the absence of concrete protectionist statements, and in light of a few decidedly non-protectionist incidents in Christ's life, Linzey turns to more general assessment of New Testament teachings (Linzey, After 63). Linzey asserts that, while the New Testament is noticeably quiet with regard to animals, and in spite of a few explicit setbacks, the overall life of Christ calls Christians to a protectionist lifestyle.

Linzey asserts that the particular details, such as the eating of fish and the incident with the swine of Gerasene, are not as important as the more general statement entailed in the life of Christ (Animals 135). For instance, it is not important that Christ was a Middle-Eastern man in a Hebrew culture. If this were important, how could a Bantu woman born in 1989 find any commonalty with Christ or Christianity? How could she live as Christ lived—speak his language, eat the same foods, wear Christ-like clothing, or feel any part of the life that Christ lived as a Middle-Eastern man two thousand years ago? Linzey asserts that the particulars are irrelevant.

Christianity relies little on specific commandments, much on the effects of character. Instead of explicitly and ineffectively condemning slavery, it modified the characters of Christians in such a way that they eventually saw slavery to be incompatible with their religious principles. Similarly, although the Bible does not abound in specific injunctions against cruelty to animals, the devout and intelligent practice of biblical religion created a state of mind out of which the modern movement for the legal prohibition of cruelty to animals grew up. (M. Hume 3)

Linzey indicates that the overall example offered by Christ during his lifetime is that of a protectionist. Jesus repeatedly exemplified self-sacrifice and service to “the least of these” (Mat. 25:40). New Testament scripture reveals Jesus as concerned for the downtrodden (Linzey, Animal 135). He ministered to prostitutes, praised old women, and healed lepers. Though he was God—great and perfect by nature—he lived a life devoted to weak and imperfect beings. Christ was born in a particular place and time, but His overall message speaks of compassion and service to the lowly. It is this strong and consistent message, Linzey asserts, that ought to guide Christians.

a. *Generosity Paradigm*: Using the model of Christ as a compassionate, self-giving moral exemplar, Linzey asserts the "Generosity Paradigm" (Animal 30-33).

To establish his point, Linzey first notes that each aspect of creation has fallen. Under the care of a just and loving God, how can anything included in the fall be exempt from salvation? "Nature too was cursed by Adam's fall, so too we must expect a transformation of all creation" (Linzey, After 82). "The Old Testament looked upon sin as the cause of the disharmony that existed in the natural order... Nature, therefore, was destined to share in the redemption of God's people" (Allen 5:232). "For if God is the Creator of all creatures, it must follow that God cares for them all" (Linzey, After 71).

Linzey supports his point with scriptural backing. In the writing of Paul to the Romans, God intends future glory to be shared by all of creation (Animal 71):

I consider the suffering of this present time not worth comparing with the glory that is to be revealed to us. For the creation waits with eager longing for the revealing of the sons of God; for the creation was subjected to futility, not of its own will but by the will of him who subjected it in hope; because the creation itself will be set free from its bondage to decay and obtain the glorious liberty of the children of God. We know that the whole creation has been groaning in travail together until now; and not only the creation, but we ourselves... (Rom. 8:18-23)

Linzey also cites Colossians and Ephesians, each of which remind us that all of creation shares both the promise and the curse, and that all of creation is united in Christ (Animal 70):

... for in him all things were decreed, in heaven and on earth, visible and invisible... He is before all things, and in him all things hold together. He is the head of the body, the church; he is the beginning, the first-born from the dead, that in everything he might be preeminent. For in him all the fullness of God was pleased to dwell, and through him to reconcile to himself all things, whether on earth or in heaven, making peace by the blood of his cross. (Col. 1:16-20)

Ephesians states that nothing on earth is apart from God. "For he has made known to us in all wisdom and insight the mystery of his will, according to his purpose which he set forth in Christ as a plan for the fullness of time, to unite all things in him, things in heaven and things on earth" (Eph. 1:9-10). These passages state that *all of creation is contained in Christ and reconciled through Christ*.

Christ as redeemer includes every mouse and every mussel. All animals are morally considerable because they are creatures of God. Through these passages from Colossians, Ephesians, and Romans, Linzey establishes that *all of creation has eternal significance*.

Suffering is part of life, and central to scripture. The Israelite nation, defeated and displaced, is a model of ongoing suffering. In the Christian tradition suffering is central to the life of Christ, epitomized in Christ's betrayal and death on the cross. Linzey asserts that a good and loving God must remain morally responsible for and invested in every sentient being. To create sentient animals and then turn away from the cries of their suffering is not consistent with the Christian concept of a just and loving God (Linzey, Animal 98-100). God cares about all aspects of creation; nothing that has lived and suffered will be omitted by a just and good God. Linzey asserts that, in as much as Christ is present in all love and life here on earth, the divine is also present in suffering (Linzey, Animal 48-52). Christians must expand their "understanding of the justice of God... which extends to the smallest part of creation" (Linzey, After 127). "If God is pre-eminently present in the suffering of the vulnerable, the undefended, the unprotected and the innocent, God's suffering presence is to be located... in the suffering of *all* the vulnerable, undefended, unprotected and innocent in this world, including animals" (Linzey, After 129).

Because scripture reveals these religious truths, Christians are obligated to help make God's loving embrace manifest in this world. "The hope of living without violence is, after all, at the heart of the gospel" (Linzey, After 106). By working for peace with other animals in our daily lives, "we cooperate with God's Spirit in the work of wholeness and renewal" (Linzey, After 109). "If we love nothing, we suffer little, if at all" (Linzey,

After 102). As God was born and died for mortal, earthling creations, Christians are to engage in costly, loving condescension toward creation.

As Christ's life was devoted to the eternal salvation of earthly beings, Linzey asserts that Christians are to devote their lives to the earthly salvation of other animals. "If man's superior capacities confer on him a privileged position, privilege does not exempt him from responsibility: 'A righteous man regardeth the life of his beast (Prov. 12:10)'" (M. Hume 6-7). Unless we transform our lives in this manner we fail to acknowledge the "moral reality of being in covenant with other living creatures. Until all violence is overcome by love, not just for the human species, but for all sentient beings, creation remains unfinished and incomplete" (Linzey, After 76). This is Linzey's understanding of the obligations of human dominion: self-sacrifice for the sake of other sentient creatures.

b. *hierarchy*: Linzey does not assert that such generous self-sacrifice is shared equally by all of creation. Linzey reminds readers that God brought about creation in a particular order, and he asserts that God created a morally considerable difference between *inanimate* objects and *sentient* creatures (Linzey, Animal 4).

Linzey justifies these divisions via Jewish rabbinical teaching on capacity for injury. Jewish rabbis have long upheld a principle "which prohibits the causing of unnecessary suffering to any living being" (Linzey, After 11). Inanimate objects, such as stones, are incapable of being injured, while "slugs, snails, and earthworms," fill a "gray-area" which in no way permits of "gratuitous slaughter" (Linzey, Animal 74).

Consequently, Linzey maintains the traditional view of hierarchy, in which people hold a special position amidst creation—we were given dominion. But he repeatedly and adamantly rejects the traditional view of dominion, where animals are of less importance (Animals 103). Linzey asserts that the divine affirmation of humans does *not* constitute a divine denial of all other created beings. He states that humans hold a special place amidst creation as *servants* of God. In acknowledgment of this special role, Jews and Christians (and Muslims) ought to show reverence for each detail of creation: believers show reverence for God through respect for creation—which is God's alone (Linzey, Animal 96-7).

Linzey notes that his views maintain traditional (and much lamented) paternalism. However, he argues that the gospels make no appeal to equality; paternalism is as biblical as the fall: “obligation is always and everywhere on the ‘higher’ to sacrifice for the ‘lower;’ for the strong, powerful and rich to give to those who are vulnerable, poor or powerless. In this respect it is the sheer vulnerability of animals, and correspondingly our absolute power over them, which strengthens and compels the response of moral generosity” (Linzey, Animal 32).

It is in this context that we hold dominion. “The steward’s duties arise from her or his special relationship to the creator and the rest of creation” (Gunn, “Traditional” 152-3). Humans have a special position, and with it comes tremendous responsibility.

We need a conception of ourselves in the universe not as the master species but as the servant species: as the one being given responsibility for the whole and for the good of the whole. We must move from the idea that the animals were given to us and made for us, to the idea that we were made for creation, to serve it and ensure its continuance. This actually is little more than the theology of Genesis chapter two. The garden is made beautiful and abounds with life; humans are created specifically to ‘take care of it’ (Gen. 2:15). (Linzey, “Arrogance” 69)

c. salvation through protectionism: Linzey asserts that we can find our own way to God, and to our own salvation, through actualizing the generosity paradigm in our daily lives. If we acknowledge the suffering of innocents—and work to relieve that suffering—we can come closer to God’s creation, and to God. St. Catherine of Siena wrote, those who are devoted to God love all of God’s creatures “so deeply” because “they realize how deeply Christ loves them,” and to love what is loved by God *because* it is loved by God, is the essence of a Christian heart (Linzey, After 74). For Linzey, “sensitivity to animals may well be a test of our theology. For to know the Word made flesh requires that we honor *all* flesh” (Linzey, After 103). In this way, Linzey writes, we will find redemption by entering into the suffering of non-human animals, and sharing some of what Christ suffered on our account.

Summary

Linzey offers biblical support to assert his Generosity Paradigm:

- all beings share in the suffering of life on earth,
- God's covenant includes all creatures,
- all entities share unity in Christ,
- redemption is shared by all, and
- all creatures are of God.

From these scriptural notions Linzey derives his Generosity Paradigm, which insists on a loving relationship with God's creation, where the higher sacrifices for the lower. The creation hierarchy is not to be interpreted as a justification for exploitation, but as a call to the unique human ability to *serve*. "If our power over animals confers upon us any rights, there is only one: the right to serve" (Linzey, Animal 38).

Linzey combines traditional Western hierarchy with an obligation for Christ-like compassion and munificence toward all creatures. He reveals a peace-loving Hebrew God that created a vegetarian world with humans as caretakers. Linzey examines Hebrew scripture and the New Testament, and demonstrates that the original creation offered humans a "dominion" that required a self-sacrificing life of service to God's bountiful creation. In Linzey's interpretation, humans have been "commissioned to liberate God's creation" through Christ-like self-sacrifice (Linzey, Animal 71). When we accept these religious obligations we participate in the suffering of Christ, and all creation, follow a path that leads to God and our own redemption.

Linzey's theological protectionism is unparalleled. Linzey calls Christians away from the contemporary, self-centered approach to life and the world around us, and insists that redemption lies in humble subservience to God's travailing creation, as exemplified by Christ two thousand years ago.

C. Discussion.

Linzey's work entails several more general issues that must be examined before moving on to several larger issues: Linzey's analysis of scripture, and theoretical

considerations in his assertion of hierarchy.

1. *General Issues.*

a. *theological assumptions:* Linzey's thesis rests on unsupported theological assumptions. Linzey assumes the existence of a divine power, the authority of the Bible, that God is just and loving, and that certain consequences follow from these truths—such as God caring for sentient creation. While these assumptions are essential to a theological protectionist theory, they remain nothing more than assumptions.

Yet often what we see and understand is beyond our comprehension, and precludes facile religious explanations. Much misery that we encounter in our lives—from AIDS to SIDS—simply cannot be explained or understood theologically.

Theists generally accept that the greatness and wonder of the Divine Mystery does not admit of human understanding: “The Lord will... do his deed—strange is his deed! And to work his work—alien is his work!” God is understood to be beyond human comprehension. “From time immemorial, out of the unconsolated grief of the human heart,” people have wondered why, at the hands of a God of love, there is so much sorrow, suffering, and adversity (Buttrick 5: 320). For a small human animal, “It is difficult to trace God's ways in the world” (Marcus 233).

Where divine matters are concerned, we are forced to accept our own ignorance. People cannot know if our human understanding of compassion and justice is consistent with that of the divine. Nor can we know how these supposed attributes of God are manifest in creation. Yet theologians such as Linzey purport to understand something of God's ways.

While it is true that Linzey cannot know whether or not God is concerned about the hunger of a tiny pygmy jerboa, or the destruction of a long-tailed pangolin's home, Linzey's approach is reasonable. In our contemporary world of religious pluralism, a God whose ways are completely mysterious will have few followers. Human beings have always expected a measure of accountability from God, our prayers and offerings will be turned toward another deity if we do not ever feel that they are received. The divine must be somewhat predictable *within* our human limits of understanding. Westerners today are

aware of many religions from which they might choose (in as much as one might choose a religion). A tradition that does not make sense within the context of our human understanding is more apt to be replaced.

Given the spiritual crisis that has spread across Western nations in the last forty years, and the surprising number of converts to Buddhism in particular, this is not an altogether hypothetical situation. We have only our own understanding by which to assess the mechanisms of the divine, however limited our abilities may be. If the creator God has given us reason and compassion, then this God must assume that we will use these attributes. Our understanding of God needs to be consistent with our sense of compassion and justice, or we cannot consider the divine force compassionate or just. We have no other means by which to assess the divine; we *must* base our theology on our own understanding, as Linzey does.

Linzey does not defend many of his assumptions regarding the nature of God, but his assertions seem reasonable, even unavoidable. Most people of Western faiths expect the same qualities that Linzey expects—compassion and investment in creation—from the divine. Few Westerners have extended this expectation to non-human animals, but compassion remains an important human value. It is not surprising that Buddhism, a faith well-known for emphasizing compassion toward all beings, has received the lions-share of Christian converts in the last forty years.

b. *detracting from human love*: Some religious conservatives insist that love is misplaced when directed toward non-humans. This is the most common objection to protectionism amongst Christians.

Linzey's response to this objection is that one kind of love is not a replacement for another, and neither does love for other animals reduce one's ability to love people. Any "understanding of God's love which limits our care and affection for other creatures is spiritually impoverished" (Linzey, After 131). He argues that "...sensitivity to suffering is a sign of grace and also a litmus test of our fidelity to the passionate Creator God. ...any theology which desensitizes us to suffering cannot properly be a theology centered on the divine vindication of innocent suffering... of the crucified Christ" (Linzey, After 132).

Linzey's response is well-supported by the hagiographies of saints (discussed earlier in this chapter). Compassion has not been shown to be a limited resource, but it has been associated with some of the greatest spiritual exemplars the world has known, from Gandhi and Mother Theresa to Saint Francis of Assisi.

c. *authorship*: Many books of the New Testament are attributed to Paul. In contrast, the first four gospels are written about the life of Jesus. It is important to distinguish these sources because the life of Jesus is central to Christian teachings, more so than the words of Paul. Linzey's Generosity Paradigm is based on the life and teachings of Jesus, not on the works of Paul.

Paul was not raised as a Christian. He was a Jew highly influenced by Greco-Roman thought. Paul's attitudes show Stoic influence, particularly in his assertions that value flows only from God. For instance, Paul's writing teaches that the value of anything earthly comes only through humans because of our relationship with God (L. Johnson 18). The writings of Paul are permeated with non-Christian influences.

There is no illusion of saintliness or perfection in Paul's early life. He was excessively cruel before he became a Christian (Acts 7 and 8), and though he was changing, he was far from the model offered by Christ (Status 6). Paul himself noted his imperfections (Phil. 3:12). These factors must be taken into account when assessing scripture.

With regard to non-human animals, Paul was a townsman who had little interest in animals, or farm-life. In his writing he only used elements of the non-human world as allegories (M. Hume, Status 6). He did not have the saintly inclinations of Saint Francis of Assisi, and it is difficult to find any overly protectionist teachings in his works.

While Christians cannot disregard Paul's biblical contributions, neither ought we to draw conclusions from his works that run against such broadly accepted Christian ideals as love, compassion, and equality—exemplified by Christ. Paul's works must be acknowledged as less important than the life and teachings of Christ in the Gospels.

Linzey's Generosity Paradigm is based on some of the most fundamental teachings of Jesus: compassion, self-sacrificing love, and attention to the needy. While much of the

New Testament is human-centered, Linzey's assessment of the teachings of Jesus are sound, and these teachings are the heart of Christian scripture.

2. *Interpretation of Scripture.*

a. *Genesis*: Linzey's interpretation of the original diet prescribed in Genesis is central to his thesis, but his treatment of these passages, and his interpretation, seems incomplete on three counts:

- Linzey's analysis of the diet prescribed by god
- God's reaction to what has been created
- God's prescription of "every green plant" for food

Linzey's analysis of the diet prescribed by God falls short of the truth. Genesis One instructs people to eat "every plant yielding seed... and every tree with seed in its fruit," and to all other animals God grants "every plant for food." This passage not only indicates that we were not to eat flesh, but also that God did not intend us to partake of dairy or poultry products. God's original plan was that all creatures be *vegans*; no creature was to partake of *any animal products*.

This is an important distinction. Few who understand current Western dairy and poultry practices, are aware of the mother-child relationship, and are concerned about ethics, continue to eat cheese and eggs or drink milk. If God *intended* hens to be treated as they are treated in our society, then God is not compassionate. But if God is compassionate, then these industries are against God's will.

Scripture indicates that God was aware of the cruelty that might follow from eating eggs and drinking milk. God added specific restrictions on the eating of eggs and dairy in light of the special bond between mother and offspring (Ex. 34:26 and Deut 22:6). Linzey refers to these passages, but he fails to elucidate their importance.

Jewish law prohibits killing a parent and offspring on the same day, and one must not sacrifice an infant that is less than eight days old—thus allowing the mother to suckle her young. The modern dairy industry snatches a calf from its mother on the day that it is born; hens never even see their chicks hatch. This religious law, if honoured, would prevent the maternal deprivation intrinsic in the egg and dairy industries (Linzey, After 30-

31).

Maimonides (1135-1204), an extremely influential Jewish theologian, taught that the injunction not to “seethe a kid in its mother’s milk” (Ex. 34:26) protects against acts that harden the human heart (Linzey, After 47). While Deuteronomy allows the taking of young from a nest, with the restriction that one must not take both mother *and* young (22:6), Maimonides interpreted this restriction as a divine limitation on the pain that is permissible for humans to inflict on other creatures. He taught that this passage is the *minimum* requirement, and that people ought to leave both the young *and* the mother. Maimonides intended that the mother “not be pained by seeing that the young are taken away” (Linzey, After 46-7). Today these passages do nothing for cattle or hens, but they are the basis for the Jewish distinction between dairy meals and flesh meals (Eerdmans 719).

Historically, the Jewish tradition has held a fleshless diet in high esteem, as noted by Linzey, but the Jewish tradition has also acknowledged and praised the enhanced compassion of a vegan diet, as originally ordained in Genesis One.

Second, Linzey clearly documents a fleshless diet as the biblical ideal. Nowhere, either in the Hebrew Bible or the New Testament is flesh-eating put forth as a *preferred* diet. The eating of other creatures is merely permitted as a concession to human depravity. God’s reaction to his original vegan world, as compared to his reaction to a flesh-eating population, is worthy of note for any individual who is interested in pleasing God.

When God’s original plan of a peaceful, vegan world is enacted in Genesis One, God comments, “*it was very good*” (Gen. 1:31). Herein we see a reaction to the “completely perfect character of what has been created, without flaw, without pain, all in its ordained order; but there is also the pleasure and the delight of the divine viewer” (Allen 1: 132): God saw that a peaceful creation was “very good.”

For religious environmental protectionists, “...the intrinsic worth of species comes from Genesis: ‘And God saw all that God had made, and behold, *kol tov*—and it was good.’ In the original Hebrew, ‘good’ is singular, showing us that God views life in all its

diversity as a fundamental unity” (Saperstein 14), a unity that did not admit of exploitation between species.

God does not offer the same positive outlook once a flesh-eating world has been accepted. The divine response to flesh-eating is one of limits and restrictions. Nowhere does scripture indicate that God said or thought, “it is very good.”

Linzey neglects to mention the divine reaction to the original vegan world, and the comparative reaction to a world of flesh-eaters, indicates that God is not pleased that we kill other animals and eat their bodies. Christians ought not to ignore what God prefers, or settles for second best. God desires that creation be vegan.

Third, Linzey’s presents God’s original world as a vegetarian world, where every green plant was offered as permissible food, but he does not discuss how we are to account for poisonous plants in a world where God offered “*every green plant*” (Gen. 1:30). This concern can be answered in two ways.

First, one might argue that poisonous plants are part of the prickliness that vegetation assumed *after* the fall. The Bible informs that God introduced undesirable and unpleasant vegetal changes as a result of the fall, such as thorns and thistles. These plants were introduced as a punishment because Adam and Eve ate of the forbidden fruit (Gen. 3:18).

Alternatively, it might be argued that poisonous plants are compatible with God’s original plan because God did not indicate that *every* creature should or could eat *every* plant. It would be reasonable (biologically speaking, it is essential) that plants be somewhat species-specific. In this way each species might fill a niche, avoid debilitating competition, and prevent overuse of vegetation.

b. *swine of Gerasene*: Linzey mentions such sticky matters as the swine of Gerasene (Mark 5, Mat 8, Luke 8), and readily admits that such perplexing scriptures suggest no easy explanation—and he offers none. It seems that there are at least partial explanations that might be offered for this difficult passage.

The story of the Swine of Gerasene is not a moral lesson about how we ought to treat swine, nor is it a commentary on the value of creation. This is a story confirming the

miraculous powers of Jesus. A possessed man is extremely powerful, and apparently problematic to a community due to indwelling spirits. Jesus restores the man to a normal condition, and the people of the community witness the effects of the powers of Jesus. This is the essence of the story that involves the swine of Gerasene. The swine are simply a medium through which Jesus allows the spirits to depart, on the request of the spirits. As a result, many pigs perish. While this does nothing to enhance the value of non-human creation, this is clearly not the intent of the story.

It is informative to compare the story of the swine of Gerasene to Biblical teachings regarding the role and status of women, especially in the works of Paul. For most of us, the injunction to "Let a woman learn in silence with all submissiveness" (1 Tim 2:11) does not affect contemporary interpersonal relations, based on the equality of individuals. There are a fair number of biblical passages that affirm a woman's subordinate role. While these passages must be taken seriously, they do not generally pose insurmountable barriers for women who wish to be active in church. Teachings about women are specifically intended to maintain social roles that were accepted in Biblical times, yet we recognize that these teachings are not the essence of the Bible, and that the overall message of the Bible encourages each person to be spiritually involved. Consequently, women do not maintain silence in churches, though their voices breach Biblical commands. If we are able to accept the essence of the message without maintaining seemingly irrelevant particulars in the case of women, why would we allow a parable about the healing and restorative powers of Jesus, influence our attitudes and actions toward pigs?

The overall lesson of Christ is one of compassion and inclusion. Western churches tend to recognize this with regard to explicit comments on the role of women, the same ought to hold true for incidental incidents with regard to other animals. One must find the essence of scripture, and not be sidetracked by the particulars.

c. *Acts 10:9-16*: Linzey briefly mentions that Acts 10:9-16 is damaging to the case for a non-flesh diet (Linzey, After 4). But these passages are not damaging unless one gets tangled up with the particulars, and misses the essence of these lines. Standard

biblical interpretation for Acts 10:9-16 conflicts with Linzey's assessment.

Acts 10:9-16 describes a vision Peter had while he was in a trance. Peter saw "all kinds of animals and reptiles and birds of the air. And there came a voice to him, 'Rise, Peter; kill and eat.' But Peter said, 'No, Lord; for I have never eaten anything that is common or unclean.' And the voice came to him again a second time, 'What God has cleansed, you must not call common'" (Acts 10:11-15).

Peter refused to eat the creatures "because in such a collection of creatures, many were unclean and taboo for a Jew" (Allen 10:67). Leviticus 11 reveals specific food laws which Jews traditionally upheld. These passages are detailed and lengthy. For instance, the Israelites are not to eat pigs, rabbits, shellfish, camels, vultures, geckos, weasels, or bats, while locust, katydids, and grasshoppers are permissible (Lev. 11:4-30). The defining characteristics of permissible and forbidden foods are carefully written down, and Jews have long-established dietary habits, based on interpretation of these passages. Peter's dream is an abrogation of those tedious dietary laws: all that God has accepted for consumption must not be called unfit.

Restrictive eating habits were anathema to the newly-formed Christian tradition. The "priestly dietary laws, adapted by the Jews after the Exile, contributed tremendously to the exclusive nature of the Jewish religion" (Allen 10:67). Exclusivity harmed unity, and Christianity was to be a religion for all people. Christianity, based on a personal relationship with God, had no need for food restrictions and rituals. The importance of Peter's dream lies in God's denouncing restrictive eating habits that set people apart from one another.

Peter's vision abrogates prevalent Jewish belief that "eating pagan food was an abomination, but to dine in the house of a pagan was much worse" (Allen 10:67). These passages in Acts are part of a transition central to Christianity, a transition from the meticulous mechanisms of Jewish law to faith in Christ. Through Peter's dream Jewish food laws were "abrogated explicitly as they had been implicitly in Jesus' teaching [Mark 7:14]" (Guthrie 985).

These passages in Acts do have tremendous significance, but not with regard to a

flesh-based diet. Acts 10:9-16 warns “against the tendency to separate things and call some of them sacred and some secular... The true division is between... that which is centered upon God and that which is not” (Buttrick 9: 136-7).

Peter’s vision serves as an injunction to end a practice that *created barriers* between people, and to re-focus religious practice on Christ’s teachings of love. In the process of annulling Jewish food laws, Acts 10 indicates that it is acceptable to eat flesh. This is consistent with Genesis 9, and with Linzey’s assessment of Genesis: he acknowledges that flesh-eating is allowed, but not preferred. Acts 10:9-16 in no way indicates that meat-eating is *preferred*. The point of Peter’s dream is to remove diet-based barriers between people, and has nothing to do with encouraging a carnivorous diet, especially when viewed in conjunction with Romans 14.

d. *Romans 14:13-21*:

...decide never to put a stumbling block or hindrance in the way of a brother... If your brother is being injured by what you eat, you are no longer walking in love. Do not let what you eat cause the ruin of one for whom Christ died... for the kingdom of God is not food and drink but righteousness and peace and joy in the Holy Spirit; he who thus serves Christ is acceptable to God and approved by men. Let us then pursue what makes for peace and for mutual up-building. Do not, for the sake of food, destroy the work of God. Everything is indeed clean, but it is wrong for any one to make others fall by what he eats; it is right not to eat meat or drink wine or do anything that makes your brother stumble. (Rom. 14:13-21)

Divergent points of view have too often become catalysts for division and stumbling blocks to faith, both of which scripture clearly and strongly warn against. If a flesh-based diet is a point of contention, and might turn people away from Christ, Romans 14 instructs Christians to stop eating flesh.

Flesh-eating was a point of contention in early Christian communities, and between early Christians and Jews. The Essenes were vegetarians, and Jews followed meticulous dietary laws. Dietary differences were *defining characteristics*, important to membership

and group identity.

While Acts 10 asserts that no food is unclean, Romans 14 reminds Christians that it is their responsibility to spread the word of God, to augment the community of Christ, and that dietary choice may limit their effectiveness. Christians ought to avoid any food—such as flesh and wine—if these items turn people away from the Christian community. Romans 14 reminds Christians that they ought not to avoid lifestyles that detract from their Christian message. As with Peter's dream, flesh-eating serves as an example to make a more general point.

Romans 14 remains relevant for today's Christian communities; diet continues to be defining and controversial. Christians, and those who might otherwise choose to be Christians, *are* being turned away by current Christian attitudes and behaviours toward animals. Today's carnivorous Christian congregations, fattened on the flesh of factory-farmed calves and the eggs of battery-hens (soon-to-be chicken soup), turn the stomachs of many protectionists.

Flesh-eating remains a divisive issue. Romans 14 instructs the faithful to abandon the eating of flesh for the sake of those who will be turned away from by a Christian congregation that is red in tooth and fork. This teaching is as relevant today as it was two thousand years ago.

e. *1 John 4:8 and 16*: Linzey emphasizes overarching importance of love in Christianity, but he does not offer specific teachings to support his assertion. Neither does he link specific teachings on Christian love to his protectionist message.

God is represented in the New Testament as *love itself*. 1 John 4:8 and 16 state simply: "God is love." Love is "not merely an attribute of God but defines his nature, though in a practical rather than philosophic sense... God's nature is not exhausted by the quality of love, but love governs all its aspects and expressions" (Buttrick 12: 280). Almost all Christians agree that love is "the paramount scripture... essential to the Christian way of life" (Allen 12: 214). Christians are called upon to "love by choice, love motivated by the will and implemented by action and conduct." Christian love is particularly precious because it stems from the munificence of God's love (Allen 12: 214).

Love is *central* to the Christian life.

Christ's love—God as love—demands a life of compassion and caring for others. Linzey notes that Christ modeled a life of costly, life-giving love. “In the light of Jesus, Christian loving can only properly be defined in terms of that kind of loving which costs us something” (Linzey, *After* 102). Living a life of Christ-like love is difficult, and requires sacrifice, but this is the life that is consistent with biblical teachings of love and compassion that are central to Christian morality.

While Linzey fails to mention 1 John, he exposes Christ's example of loving self-sacrifice, and the original peaceable (vegan) kingdom planned by God (Gen. 1). He concludes that Christians must understand current violence against other animals as antithetical to God's will. His assertion seems well-supported. Violence toward other animals, intensified and aggrandized by modern methods of factory farming and science, must be immeasurably worse than the simple violence of Noah's time. *Yet even the violence of Noah's day led the Almighty to make an end of all that had been created.*

f. *Isaiah 11:6-9*: Linzey reveals God's original plan as a world of peace and non-violence, and he discusses how this world was lost. But Linzey fails to note that the peaceful lifestyle God originally planned is to be restored.

The ideal Christian world, a “state of peace and well-being” will eventually follow, “symbolized by the idyllic picture of powerful animals and poisonous reptiles in harmonious companionship with domesticated animals and truly spiritual human children” (Buttrick 5: 249):

The wolf shall dwell with the lamb,
and the leopard shall lie down with the kid,
and the calf and the lion and the fatling together,
and a little child shall lead them.
The cow and the bear shall feed;
their young shall lie down together;
and the lion shall eat straw like the ox.

The sucking child shall lay over the hole of the asp,
 and the weaned child shall put his hand on the adders den.
 They shall not hurt or destroy
 in all my holy mountain;
 for the earth shall be full of the knowledge of the Lord
 as the waters cover the sea. (Isa. 11:6-9)

Isaiah tells us that “complete harmony and peace... [will] prevail with the coming of the messianic age... The righteous rule of the messianic king will result in the restoration of harmony to the natural order... men and animals [will] live together in a paradise-like relationship, and no living creature [will] hurt or destroy another” (Allen 5: 232). There will be “reconciliation in the world of nature, and the ancient enmity between man and beast shall be done away” (Buttrick 5: 249-50). Isaiah “clearly reveals an expectation that God will bring all bloodshed in creation to an end. God is aware of the suffering of animals [even] among their own kind. Their death is not simply pointless and forgotten” (Vischer 10). Nor is this violent condition chronic. These teachings offer a vision that expresses “reconciliation, concord, and trust” (Guthrie 598).

The fulfillment of this idyllic vision will happen—and can happen—through the “work of all who believe in Jesus Christ and his kingdom” (Buttrick 5: 250-1). Christians are not to wait passively for God’s kingdom, but are called to *realize* this ideal *in their daily lives*, for this peace is the actualization of “*the knowledge of the Lord*” (Guthrie 598).

Many Christians today dismiss the peaceable kingdom as a fairy tale, but they forget what their scripture indicates, that “with God all things are possible” (Mat. 19:26). Psalms and Proverbs reveal a biblical vision where all of nature is spiritually united, where we are one species amongst many adoring creatures of God. As Linzey notes, God created all, all share in the fall, and all will share in redemption. Psalm 148 exclaims: “Praise him, sun and moon, / Praise him, all you shining stars! / Praise him, you highest heavens, / and you waters above the heavens!... / Mountains and all hills, / fruit trees and

all cedars! / Beasts and all cattle, / creeping things and flying birds!... / Praise the Lord!” In the biblical worldview, we are not the only entities that have a relationship with God. In the Bible, “all creatures, humans and animals, praise God. All creation is a single hymn of praise in which humans, animals and nature as a whole praise God with one voice” (Vischer 5).

This peaceful biblical vision, where all creatures are united in their devotion to a Christ-like peaceful existence, is central to Christianity. At Christmas time each year, Christians erect images depicting Christ as a newborn babe, lying in a barnyard feed-bin (manger), with animals all around. (And the faithful are all very glad that *they* did not eat *him*!) This idyllic vision, and the promise of its return, calls Christians to action. For “the reign of Christ already produces this kind of transformation in the sphere of human character, and will ultimately change the whole creation” (Guthrie 598). Christians, according to scripture, are to actively seek to realize the peaceable kingdom here on earth throughout their lives.

The oft spoken “Our Father” perpetually reminds Christian of this duty: “Thy kingdom come. / Thy will be done, On earth as it is in heaven” (Mat. 6:10). *What God ordained is to be realized on earth* with our active participation. Christians are to participate in the “final triumph of God’s will” (Allen 8: 115). The “Our Father” “acknowledges a personal and social obligation” for each Christian, to work toward this idyllic end (Buttrick 7: 312):

A Christian’s prime purpose in life ought to be to do God’s will. More specifically, our duty is to help to reestablish God’s peaceable kingdom on earth—the world God intended—as revealed in the original vegan world designed and created by the Almighty, in the peaceful kingdom described in Isaiah, and hoped for here on earth in the “Our Father” prayer. In Christ-like fashion, out of love for and as a duty to God, Christians are to devote their lives to the restoration of God’s peaceable kingdom.

3. *Theoretical Considerations.*

a. *hierarchy*: Any mention of hierarchy smacks of historic Christianity’s rather transparent attempt to offer humans a special category amidst creation. Hierarchy is the

foundation for the traditional concept of dominion based on the assumption of human preeminence. Theists have reasoned “that God exists; that He has the right to decide which of His creatures shall live or die; that He has the right to delegate this right to others; and that He did delegate this right to human beings” (Singer, “Animals” 231). The effects of hierarchy have been deadly for non-human animals.

Similarly, Linzey assumes that humans have a special place over and against the rest of creation. However, Linzey’s assumption is that humans have special responsibilities rather than exclusive privileges. His assertion appears to be untenable for two reasons (discussed simultaneously):

- There is no reason to assume that what is created last is most important.
- There are two divergent creation stories in the Bible that cannot both be reconciled with Linzey’s assertion of a hierarchy.

Linzey only acknowledges the creation story in Genesis One. In this version God creates day and night, then atmosphere and water on the first and second day. The third day brings dry land and vegetation followed by the stars and planets on the fourth day. On the fifth day God creates sea creatures and birds, and on the sixth day all the beasts of the earth, culminating in the creation of man and then woman (Gen. 1:1-30).

Based on the Genesis One creation story, the hierarchy (in ascending order) would be: time, basic earthly elements, inanimate matter and vegetation, heavenly bodies, creatures of sea and sky, and finally all other animals (including people).

The creation story of Genesis Two, however, begins with mists, followed by the creation of man, then vegetation. Rivers and minerals are then mentioned before the creation of animals. The final act of creation is *woman*:

In the day that the Lord God made the earth... a mist went up from the earth and watered the whole face of the ground—then the Lord God formed man of dust from the ground, and breathed into his nostrils the breath of life; and man became a living being. And the Lord God planted a garden in Eden, in the east; and there he put the man whom he had formed. And out of the ground the Lord God made to grow every tree that is pleasant to the sight and good for food...

Then the Lord God said, "It is not good that the man should be alone; I will make him a helper fit for him." So out of the ground the Lord God formed every beast of the field and every bird of the air... but for man there was not found a helper fit for him. So the Lord God... took one of his ribs... and the rib... he made into a woman and brought her to the man. (Gen. 2:4-23)

The ascending order of creation presented in Genesis Two is: basic earthly elements, man, vegetation, more complex inanimate matter, other animals, woman.

How are we to understand and enact a hierarchy where vegetation is between man and other animals? How might we determine whether the first act of creation, or the last (or even third, for that matter) is at the top of the hierarchy? How will our humanocentric, patriarchal Christian societies assimilate the Genesis Two hierarchy, where either woman or the basic elements of earthly matter are put forth as the apex of God's creation? ? How might these two creation stories be reconciled?

Linzey does not discuss these issues. Neither does he explain why he believes the Genesis One creation is more important than Genesis Two, or why he assumes that creation was enacted in ascending order.

The hierarchy Linzey asserts offers primary importance to human beings. If he is to maintain this assertion, he ought to discuss aspects of the Bible which specifically demote human beings. The Bible teaches that "certain areas of God's creation are outside human control" and *beyond* our acceptable and proper realms (Vischer 9). For instance, in the Book of Job God challenges us to recognize that we do not rule over all places and all creatures:

- "The wild ass and wild ox would scorn to bear human burdens or feed at the human manger and that the great creatures of land and sea were not made to serve as our pets or playthings" (Goodman 11).
- The divine gave the wild ass a home in the steppes and salt land to be free from the despicable sounds of humans in their busy settlements, where drivers shout at laboring burrows (Job 39:5-8).
- God caused it to "rain on a land where no man is, on the desert in which there

is no man; to satisfy the waste and desolate land, and to make the ground put forth grass" (Job 38:26-27).

- God asks the presumptuous human: "Where were you when I laid the foundations of the earth? Tell me if you have understanding" (Job 38:4).

These passages indicate that God did not create a humanocentric world; we do not stand over and above the rest of creation. God attends to *every* creature's needs. The Bible indicates that much of nature is *purposefully* outside the domain of human beings, even beyond our understanding. The world is not designed according to human plans and schemes.

Interestingly, Linzey does mention that Christian notions of hierarchy are not part of the Biblical Hebrew tradition; they are Greek in nature. He notes that, "...influenced by Aristotelian philosophy, Hebrew monarchy becomes created hierarchy. Traditionally, Christians interpret Genesis in terms of the Aristotelian pattern, which sees nature as a hierarchical system in which it is assumed... that the male is superior to the female, the female to the slave, and the slave to the beasts..." (Animal 18). If hierarchy is not Hebrew, then this interpretation is misplaced in the context of Hebrew scripture. This assertion is supported by the fact that there are two, divergent creation stories in Genesis.

b. all things equally precious: Linzey's assumption of a biblical hierarchy seems untenable. If the Christian hierarchy is dismantled, but the central thesis of Linzey's Generosity Paradigm kept intact, we are left with a very interesting theological assertion: all of creation is inherently valuable and equally valuable.

Linzey's generosity paradigm has far-reaching implications, much more far-reaching than Linzey seems to notice: his work offers a comprehensive environmental ethic. If we accept Linzey's theological basis for protectionism, but reject his untenable assertion of hierarchy, then all of creation ought to be approached with self-sacrificing love. If all of creation is united in God, and if Christ is taken as moral exemplar of self-sacrificing service toward the weaker—always the higher (God) sacrificing for the lower (creation)—then Christians must be led to respect all of creation as never before.

Linzey's assertion of self-sacrificing service, extended toward all of creation, has a

historic precedent and does not run contrary to Biblical teaching. As early as 1954 the Theologian Joseph Sittler asserted that “all things” were included in God’s saving grace, even atoms. He taught followers of Christ to tend the earth, and to tend life on the earth, as “a matter of obeying Christ” because God intended that nature be included in our moral sphere, and ultimately in redemption (Nash 99). “Six times before our appearance in the story of creation, God declared life to be good” (Saperstein 14). Humans are just one small part of the beauty of creation; “nothing was made by God for man to spoil or destroy” (Locke 2.31). Humans were put in God’s good garden to “till and keep” what had been created, not to ravage and exploit. “The world is not ours, and... we do not rule it” (Buttrick 7: 312).

Humans were put in a position of stewardship by the divine. “The steward’s duties arise from [a] special relationship to the creator and the rest of creation...” (Gunn, “Traditional” 152-3). To be a steward follows from being a Christian, and the “...deliberate (or careless) extermination of species, the poisoning of lakes, rivers, and air, the destruction of soil fertility and the land stability seem *quite incompatible* with a recognition of our stewardship over God’s creation” (“Gunn, Traditional” 152). God created the earth, and was pleased with what had been created, Christians therefore “have an obligation to respect [the earth’s] inhabitants and its processes, to avoid harming or destroying them, to live simply, to limit the exercise of our considerable powers, to learn to practice and enjoy harmless activities rather than the consumption of the products of modern technology” (Gunn, “Traditional” 153). Because God has “entrusted the care of the non-human world to humans, and has given us the power to control it and the ability to make moral choices,” we are obligated to live simply (Gunn, “Traditional” 152).

Accepting our role as stewards of the earth would transform current practices. If Christians accepted other animals as creatures of God, adopted a sense of responsibility for nature, and acknowledged the “intrinsic value of non-human life, places, natural features, and ecosystems,” they would “promote policies of preservation, population control, low entropy life styles, use of renewable resources rather than nonrenewable ones, and considerably reduce exploitation of other animals” (Gunn, “Traditional” 153). All of

these ideas are part of the biblical tradition, but currently have little or no part in the traditional Christian lifestyle.

The story of Noah and the Ark (Genesis 6-9) answers modern ethical questions such as these: Isn't saving people more important than saving species? The story answers this by telling us that the people who were saved were the ones who worked to save the species. Isn't saving species too costly? This is answered by Noah's expenditure of immense resources and time to implement a rescue plan in a society that laughed at his foolishness. His saving work was not completed until the animals were reinstated into their natural habitat." (DeWitt 8)

The Bible indicates that Linzey's Generosity Paradigm, which offers self-sacrificing service to all of God's creation, is the proper Christian life. "As one cannot praise Rembrandt sincerely while trampling his paintings, so one cannot praise God sincerely while trampling His works" (DeWitt 8). Linzey's Generosity Paradigm, devoid of hierarchy, insists that all aspects of God's creation receive the self-sacrificing service of Christendom.

There are some difficulties with this conclusion. First, there is one major difference between Linzey's Generosity Paradigm and other theories of environmental philosophy (Linzey, *Animal* 95-97): Linzey's ethic does not focus on the inherent value of nature, but rather on our duty to God. "For the Christian, the duty of the steward is to carry out the plan of the absent ruler. The duty not to mistreat animals is owed to the absent ruler, not to the animals" (Gunn, "Traditional" 151). While Linzey's theory is capable of protecting the environment from the current plundering of Homo Sapiens, this protection is only provided for the sake of God, not for the sake of the land, seas, plants, or animals.

While this is a significant difference, a theistic approach to protectionism offers the same result—protection. Furthermore, it offers a refreshing alternative to theories that place human beings at the centre of the universe. Many environmental philosophers preserve forests and species with an eye to future human interests. This seems patently selfish; a God-centered vision is at least one step removed from this common, overtly

selfish environmental focus. There is something to be said for moving ones focus from self-interest to something more ultimate. Perhaps, “without a truly spiritual understanding of our relationship with the rest of life on Earth, both the Environmental Movement and the Animal Welfare Movement are... condemned to irrelevance” (Porritt 15). While it is uncommon for environmentalists to be theologically based, there is considerable merit in Linzey’s approach.

Second, if we extend Linzey’s Generosity Paradigm to all of creation, we are faced with the monumental task of discovering what it means to offer self-sacrificing service to *all* of creation. Not only is this a monumental task, but it also requires an understanding of what each entity might require. How do we best service a cockroach while also servicing our human neighbors? How do we feed the lion without sacrificing the lamb?

Self-sacrificing service, when translated into action, seems somewhat impossible. However, as Paul encouraged his Christian followers, if we focus on the spirit of the teaching rather than the letter of the law, Linzey’s Generosity Paradigm does not seem impossible to apply to all of creation. The spirit of the teachings of Jesus is the spirit of love. If we demonstrate compassion, consideration, and genuine concern for the lives of other creatures, our actions demonstrate self-sacrificing love. Ecological destruction has generally been born of indifference and greed. While it is less clear what the best action might be in any one situation, perhaps “the most basic ecological experience is that of an audacious generosity, of daring to love all the suffering, perishing creation” (Kohak 170).

If one acts with compassion toward all of creation, then a stray cat will be fed, while a wilting plant will be watered, and a stone along the path will be left in place—lest the many things that live around and under the stone be disturbed. Each entity requires a different act of self-sacrificing service to God’s bountiful creation. Linzey asserts that Christians ought to approach all of creation with an attitude of service and self-sacrifice, asking not what can be gained from each small part of creation, *but what we might best do to serve God’s ends through the existence of that entity*. His theological vision does not require equal treatment for a piece of granite and a platypus, only equal respect for each of these aspects of the divine splendor. In the absence of hierarchy, the Christian vision

might be extended so that the whole universe is acknowledged as having divine significance, and Christianity might truly become all-inclusive (Buttrick 9: 139).

Linzey's hierarchy is untenable. With the toppling of this hierarchy, his theory becomes a comprehensive environmental ethic, whereby Christians are called upon to live their lives so as to offer self-sacrificing service to *all* that God has created—every cow and skunk, every beetle and thistle, each drop of every ocean.

Conclusion

Linzey's work offers much to challenge historic—and contemporary—Christian assumptions of how we ought to live amidst the wealth and beauty of God's earth. While one can always find passages in the Hebrew Bible or New Testament to support abuse and misuse of animals, Linzey successfully demonstrates that the overall message of scripture (as well as many specific passages), supports a protectionist ethic. Linzey highlights the overall message of love and self-sacrificing service exemplified in the life of Christ to assert a Christian obligation to treat all of creation with compassion and respect.

IV. PAUL TAYLOR: ENVIRONMENTAL ETHICS

Paul Taylor is not as well known as Linzey, Singer, or Regan. Taylor is specifically interested in environmental ethics. His principal work, Respect for Nature, outlines an ethical theory to protect the interests of wild entities. Taylor's work presents an interesting direction for future protectionist philosophy.

Taylor's work is developed from a foundation that must be clarified before presenting his theory of Respect for Nature.

A. *Taylor's Foundation.*

1. *Individual versus Species.*

Unlike most environmental ethicists, Taylor emphasizes the individual rather than the ecosystem. Taylor writes, "...to harm several such beings is not merely to bring about a certain amount of intrinsic disvalue in the world... It is to commit a number of violations of duty, corresponding to the number of creatures harmed" (Respect 284). Taylor insists that individuals are the *only* value of a species:

...unless individuals have a good of their own that deserves the moral consideration of agents, no account of the organic system of nature-as-a-whole can explain why moral agents have a duty to preserve *its* good. Even if it is the case that the entire realm of life on Earth is itself a quasi-organism, why should the well-being of that entity count ethically? (Respect 119)

2. *Natural and Non-natural.*

a. *natural*: Taylor's ethical theory protects the "natural" world, including "the entire set of natural ecosystems on our planet, along with the populations of animals and plants that make up the biotic communities of those ecosystems" (Respect 3). A natural

ecosystem is "any collection of ecologically interrelated living things that, without human intrusion or control, maintain their existence as species-populations over time, each population occupying its own environmental niche and each shaped by the evolutionary processes of genetic variation and natural selection" (P. Taylor, Respect 3).

Whilst focusing on the protection of "wild" or "natural" teleological entities, Taylor admits that no definitive line can be drawn between natural and unnatural entities or ecosystems. His theory includes living things with which we have tampered but which now exist without human intervention (Respect 4), such as endangered "wild" animals that have been captive bred.

b. *bioculture*: Taylor distinguishes between environmental ethics and the ethics of bioculture. Environmental ethics concentrate on "...the moral relations that hold between humans and the natural world. The ethical principles governing those relations determine our duties, obligations, and responsibilities with regard to the Earth's natural environment and all the animals and plants that inhabit it" (P. Taylor, Respect 3).

By contrast, the ethics of bioculture involve moral guidelines for our treatment of plants and animals that are under human control and that are the result of human manipulation. Biocultural ethics target entities that have been created, regulated, and exploited for human ends. Taylor acknowledges that these entities have a good of their own, just like the plants and animals of natural ecosystems (Respect 53-55), but these beings lie outside the scope of Taylor's theory of environmental ethics.

3. *Moral Considerability.*

a. *inherent worth*: Where Regan uses the term "inherent value," Taylor prefers "inherent worth." (Taylor notes inherent value is synonymous with inherent worth.) He ascribes inherent worth to "entities that have a good of their own" (Respect 75) and "can be made better or worse off by the way humans treat them" (Respect 56).

Taylor writes that inherent worth:

- is deserving of moral concern and consideration,

- requires that all moral agents have a prima facie duty to promote or preserve the entity's good as an end in itself—for the sake of that entity's good (Respect 75).

b. *teleology*: Taylor's theory offers inherent worth to wild teleological entities. He includes "any wild creature just in virtue of its being a member of a biotic community of a natural ecosystem" (Respect 79). Such teleological beings are not to be treated as a means to an end, but as an end in themselves with a value independent of any utility recognized by human beings (Respect 57). While "animals may not actually be valued by humans as highly as other humans... this does not mean that animals do not have the same inherent value as humans" ("Inherent" 17).

c. *equal moral consideration*: Each entity that has inherent worth has a "good of their own." Having a good of one's own makes one worthy of moral consideration. Moral consideration entails a duty for moral agents (Respect 75). Entities that have inherent worth are all *equally* deserving of moral consideration (P. Taylor, Respect 79).

4. *Moral Agents and Moral Patients.*

Taylor also distinguishes between moral agents and moral patients. As with Regan's definition, moral agents are morally accountable for their actions, and may be held accountable. Moral patients are not morally accountable and cannot do right, nor can they do wrong. Also like Regan, Taylor includes most humans as moral agents, and all other animals (and some humans), as moral patients—though he admits he cannot be certain whether or not other animals might be moral agents (Respect 14). Taylor's definition of a moral agent includes:

...the ability to form judgments about right and wrong; the ability to engage in moral deliberation, that is to consider and weigh moral reasons for and against various courses of conduct open to choice; the ability to make decisions on the basis of those reasons; the ability to exercise the necessary resolve and willpower to carry out those decisions; and the capacity to hold oneself answerable to others for failing to carry them out. (Respect 14)

5. *Rights.*

a. *legal rights:* Taylor notes that non-human entities have legal rights in the Western world. He defines legal rights as entitlements established by law. He cites the Endangered Species Act, and laws that prohibit recreational killing of deer in certain places at certain times, as proof that both plants and animals have *legal* rights (Respect 223).

b. *moral rights:* Taylor avoids assertions of moral rights to non-human animals. Taylor argues that moral rights, in contrast to legal rights, can only be ascribed to "persons." For Taylor, a "person" is an entity that has interests and purposes, preferences and plans, a sense of personal identity over time, and makes autonomous choices or valuations (Respect 33-36). Taylor does not accept non-humans as "persons."

Moral rights, according to Taylor, require that one be a member of a community of moral agents, have self-respect, be able to exercise or enjoy rights, and also to hold others to account (Respect 246, 251). Bearers of moral rights "are acknowledged to have supreme authority over those conditions of their lives which are essential to preserving their personhood" ("Inherent" 26). Only "persons" have moral rights.

"Persons" are autonomous, rational beings who choose their own value-system and direct their own lives on the basis of that value-system (P. Taylor, Respect 36). Taylor does not recognize non-human animals as "persons" or as bearers of moral rights.

c. *human rights:* Taylor describes human rights as rooted in "human ethics based on respect for persons." Human rights are central to the structure and functioning of societies (Respect 234). "The principle of respect for persons is built into the very structure of the moral community and serves as the ultimate ground of the rules of duty within the domain of human ethics... respect for persons serves as the foundation for universal human rights" (P. Taylor, Respect 39).

Taylor indicates that human rights belong "to all persons in virtue of their personhood... Thus they are universal (belonging to every person) and equal (the same for all persons)" ("Inherent" 25). He writes, basic human rights

...consist in a set of guaranteed opportunities and permissions which make it possible for one to (choose to) maintain oneself as a living organism and to seek those ends of interest that make up the central values of one's self-determined conception of a meaningful life. Thus our basic rights set boundaries of inviolability, as it were, around the core of our existence. ("Inherent" 25)

Taylor lists several human rights:

- The right to subsistence and security, including the "physical necessities of biological survival," the right not to be killed, and the right of physical safety (Respect 235).
- The right to liberty, which entails "freedom from positive external constraints upon the pursuit of one's permissible interests" (Respect 237). Permissible means those interests that do not infringe on the rights of others, or break a valid moral rule, including "the right to take effective steps to realize the goals we have set for ourselves, without hindrances or obstacles placed in our way by others;" we are "at liberty *to pursue our good* as we see fit," but not necessarily to have our good realized (Respect 237-9).
- The right to autonomy, including the right to self-determination, which allows individuals to lead lives of their own, "based on goals they set for themselves and values they have chosen for themselves... they are accordingly self-directed and self-governed beings" (Respect 239).

Taylor asserts that human rights maintain the integrity of persons: "...we must conceive of rights as *protecting those conditions essential to the rights-holder's existence as the kind of being it is...* Whatever conditions are essential to making it possible for such an entity to realize its welfare are those to which it has a moral right" ("Inherent" 27).

Human ethics recognize each person as the "center of autonomous choice, living (or potentially capable of living) a way of life according to his or her own value-system," and obligated to all other moral agents according to rules of ethics (Respect 37).

This autonomy necessarily involves limits. Self-respect rather than self-interest form the basis of human rights. Consequently, "where the preservation of the whole

system of rights is at stake, it is understood that our rights can justifiably be overridden, with or without our consent" ("Inherent" 25-26).

Taylor explains that moral rights become laws because "rational and autonomous persons" unanimously adopt ethical rules when these rules *"give equal weight to every person's value-system and at the same time make it possible for each to pursue the realization of his or her own value-system in ways compatible with everyone else's similar pursuit"* (Respect 38).

d. *a parallel theory*: Taylor asserts that the language of moral rights cannot be used for animals and plants because this would imply that other living beings have rights in the same manner as humans, *which they do not*. He adds that moral rights (such as human rights) are not necessary for the protection of non-human entities; that *his theory of environmental ethics offers non-persons the same securities that human rights offer persons* (Respect 254).

Taylor's theory of environmental ethics parallels human ethics. He distinguishes two categories of ethical conduct: that of human ethics, and that of environmental ethics. The former grounded in respect for persons, the later in respect for nature (Respect 26). Just as respect for persons is made manifest in human rights, "rules of duty governing our treatment of the natural world and its inhabitants are forms of conduct in which the attitude of respect for nature is manifested" ("Ethics" 203). Taylor asserts that there is no reason for other animals to have moral rights if we adopt his environmental ethic of Respect for Nature.

6. *Principles and Standards.*

Taylor explains the principles and standards to which both human and environmental ethics might be held. Such rules must be:

- general in form
- universally applicable to all moral agents
- intended to be applied disinterestedly
- advocated as normative principles for all moral agents
- considered to override all nonmoral norms. (Respect 27)

Taylor rejects moral intuition on the grounds that it impedes the process of seeking ethical truths (Respect 23).

B. *Taylor's Respect for Nature.*

Taylor's theory of environmental ethics consists of a belief-system, attitude, and system or set of rules. Taylor includes four rules and five principles that offer guidance for the practical application of each rule. The "belief-system supports and makes intelligible the adopting of the attitude, and the rules and standards give concrete expression to that attitude in practical life" (Respect 44).

1. *Belief System—The Biocentric Outlook.*

a. *interdependence*: "Each animal and plant in the natural world pursues its own good in its own way and therefore is similar, in that respect, to a human" (P. Taylor, "In Defense" 237). A biocentric outlook allows individuals to view themselves as members of the "Earth's Community of Life," dependent for existence on the "biological system of nature" (P. Taylor, Respect 44).

One who holds a biocentric outlook will recognize people as part of the earth's vast interdependent community wherein each organism exists on the same terms as each other living organism (P. Taylor, Respect 99). "The biocentric outlook recognizes a natural world where each species, including humans, is an integral, interdependent element, and the welfare of each living thing is "determined not only by the physical conditions of its environment but also by its relations to other living things" (P. Taylor, Respect 100).

In Taylor's theory, ecological interdependence is a condition of both human and non-human existence. The unending "reality and universality of this condition throughout the whole realm of life on Earth," unites "humans and non-humans in a single system of relationships," the realization of which forms a basic component of the biocentric outlook (P. Taylor, "In Defense" 239).

Taylor introduces the complicated idea of teleology in the process of emphasizing the interconnected nature of life on earth. Teleology entails both internal functioning and

external activities constantly working to maintain an organism's existence (Respect 121). The biocentric outlook recognizes each organism—creatures and vegetation—as a unique goal-oriented being “pursuing its own good in its own unique way. [Each] living thing is conceived as a unified system of organized activity, the constant tendency of which is to preserve its existence by protecting and promoting its well-being” (Respect 45).

Teleological entities have “interests” because they have a good that can be thwarted. “We have each a good of our own, and each of us, human and non-human alike, can be helped or hindered in the realization of that good” (P. Taylor, “In Defense” 238).

Like ourselves, other organisms are teleological centers of life. The constant tendency of their behavior and internal processes is patterned around the realization of their good. Although the content of our good and the means by which we pursue it may be vastly different from theirs, the teleological order exemplified both in our lives and in theirs signifies a fundamental reality common to all of us. (P. Taylor, Respect 157)

The biocentric outlook does not describe what any particular entity's good might entail. Some—insects in particular—may sacrifice their individual lives for a group, indicating diverse methods by which entities “realize their own biological potentialities” (“In Defense” 238). Each teleological entity “is carrying out its biological functions according to the laws of its species-specific nature” (“Ethics” 210).

b. *equality*: Individuals who hold Taylor's biocentric outlook will not place humans either at the centre or at the top of the natural order. “The moral commitment which is associated with [the biocentric] outlook is a disposition to ascribe to wild animals and plants the same inherent worth which we attribute to our fellow humans, and so regard them as deserving of equal consideration with ourselves” (P. Taylor, “In Defense” 240). Humans are one type of entity amongst many, pursuing our good just as other organisms do. The good of both plants and animals requires that their “ecological equilibrium must not be destroyed. The same holds true of the well-being of humans” (“Ethics” 209). “The biocentric outlook entails species-impartiality,” from which point of

view all living beings are judged to be equally worthy of moral concern and consideration (Respect 46). Taylor's vision "requires humans to treat other creatures in such a way that there is no bias in favor of humans just because they are human" (P. Taylor, "In Defense" 241). To "accept the [biocentric] outlook is to understand the place of humans in the domain of life on Earth as one of fundamental equality with other members... an equality that extends to all forms of life in our planet's natural ecosystems" (P. Taylor, "In Defense" 240). The biocentric outlook holds that it is never acceptable to destroy any being "merely on the grounds that it would benefit human beings" (Regan, "Nature" 32).

c. *insider's perspective*: Taylor's biocentric outlook looks to a future where we see all other beings from the reference point *of that other being*—that entity's shared interest in "survival, health, and well-being" (Respect 124). This outlook offers "the most complete realization, cognitively and imaginatively, of *what it is to be that particular individual*;" the biocentric outlook allows us to "let the reality of another's life enter the world of our own consciousness" (Respect 128).

Taylor admits that his "biocentric outlook" cannot be proven either true or false, but adds, "beliefs that make up the content of the biocentric outlook are scientifically established" ("In Defense" 240), and "firmly rooted in the findings of the physical and biological sciences" (Respect 160). No worldview can be conclusively demonstrated as true or false, but each stands or falls based on well-established criteria: comprehensiveness, coherence and internal consistency, freedom from obscurity and semantic vacuity, and consistency with known empirical truths. Taylor holds the biocentric outlook up to this light and concludes that this world-view is acceptable to rational individuals based on compliance with these criterion (Respect 158-161).

2. *Attitude—Respect for Nature.*

Taylor indicates that virtues are important because attitudes critical to environmental ethics are rooted in human character (Respect 199). Such virtues as conscientiousness, integrity, courage, perseverance, benevolence, sympathy, impartiality, trustworthiness, and fairness are virtues held by Taylor's ethical individual. An individual

with these virtues will accept environmental ethics in the same way that most people accept human ethics—as a fundamental and formative aspect of life.

Taylor's biocentric belief-system "underlies, supports, and makes intelligible" the *attitude* of respect for nature, the ultimate moral attitude required to uphold environmental ethics (Respect 167). Respect for nature, in Taylor's theory, is "the most fundamental kind of moral commitment that one can make," a moral commitment that serves as a ground for rationally motivated decisions and actions, as well as emotive responses, but is grounded on no more fundamental concept (Respect 90).

One who holds an attitude of respect for nature will not harm or interfere with the world around them. They will honour "the natural status of wild living things," and strive to preserve "their existence as part of the order of nature" (P. Taylor, Respect 81). Those who respect nature will use reason to determine which actions are based on personal respect for nature, and they will strive for policies and practices that preserve natural ecosystems. One who holds an attitude of respect for nature will also be emotionally engaged so as to feel pleased or displeased according to whether or not events uphold or damage the earth's natural ecosystems (P. Taylor, Respect 81-83).

As in Kant's ethical theory, Taylor asserts that actions must be motivated by ethical obligations, not personal affection. Actions that maintain natural ecosystems do not express respect for nature *unless* they are motivated by a respect for the inherent worth of living organisms. Furthermore, actions that express respect for nature, must be done "as a matter of moral principle" (P. Taylor, Respect 85). Moral imperatives guide individuals who respect nature to pursue an ethical action in a disinterested fashion (P. Taylor, Respect 92). Intentions matter.

...people show genuine respect for nature only when they act or decline to act *out of consideration and concern for the good of wild living things*... To express in practical life one's respect for nature, one's intentions and aims must be directed toward not interfering with or harming animals and plants in natural ecosystems and to preserving their wild status for their sake. Having those aims and intentions as one's ultimate ends is essential to having true respect for nature. (Respect 84-85)

3. *Four Rules and Moral Triage.*

The *rules* that guide a moral agent who accepts the biocentric *outlook*, and who bases actions on an *attitude* of respect for nature, are four in number:

a. *nonmaleficence*: Nonmaleficence is an injunction not to harm "any entity in the natural environment that has a good of its own," that we refrain from killing organisms and "from any action that would be seriously detrimental to the good of an organism, species-population, or life community" (P. Taylor, Respect 172). Nonmaleficence prohibits moral agents from actions that are destructive or harmful to natural organisms or their habitats.

b. *noninterference*: Noninterference requires that moral agents refrain from "placing restrictions on the freedom of individual organisms" and from meddling in the natural lives of ecosystems and biotic communities, or in the lives of individual organisms (P. Taylor, Respect 173). No matter how good intentions might be, noninterference requires that we maintain a *laissez faire* policy, allowing wild creatures to live out their natural lives freely, in their natural environment. Noninterference demands the complete absence of human intervention, even actions intended to preserve the life of an organism (Respect 173-175). If we fail to practice noninterference,

...we intrude into the domain of the natural world and terminate an organism's existence as a wild creature. It does not matter that our treatment of them may improve their strength, promote their growth, and increase their chances for a long, healthy life. By destroying their status as wild animals or plants, our interference in their lives amounts to an absolute negation of their natural freedom. (P. Taylor, Respect 175)

We are called upon to refrain from manipulation, control, modification, or management of natural ecosystems. "Respect for nature means that we acknowledge the sufficiency of the natural world to sustain its own proper order throughout the whole domain of life" (P. Taylor, Respect 177).

c. *fidelity*: Fidelity forbids gaining an entity's trust only to deceive them and gain advantage for immoral reasons. We are required to maintain the integrity of our actions so that another animal's expectations of our behaviour are fulfilled.

Taylor targets hunting, trapping, and fishing as particularly deceitful. Such actions treat other animals as a means to human ends, and are the antithesis of respect for nature (Respect 184).

d. *restitutive justice*: Restitutive justice requires moral agents to make restitution to moral subjects whenever an agent has wronged a subject. Moral subjects are wronged whenever one of the three previously mentioned rules are transgressed (nonmaleficence, noninterference, and fidelity). Moral agents who demonstrate respect for nature will hold themselves accountable for actions that wrong a moral subject. Restitution is intended to restore the balance of justice that existed between moral agent and subject (P. Taylor, Respect 186). The rule of restitution *requires* moral agents to interfere with natural ecosystems in order to mend individuals or ecosystems that moral agents have damaged.

Even when moral agents could not have avoided the harm done to wild organisms, "an act of restitutive justice is called for in recognition of the inherent worth of what has been destroyed" (P. Taylor, Respect 189). It is not surprising that Taylor asserts that all of us who live in modern, industrialized societies owe "restitutive justice to the natural world and its wild inhabitants" (P. Taylor, Respect 191).

Taylor highlights methods of restitutive justice: "...setting aside wilderness areas, protecting endangered and threatened species, restoring the quality of an environment that has been degraded, and aiding plants and animals to return to a healthy state when they have been weakened or injured by human causes" (Respect 198). If organisms have been killed it is not possible to restore moral equilibrium, but Taylor insists restitution still ought to be offered to living members of the same species. If an entire ecosystem has been destroyed, similar lands in other locations might be set aside for permanent protection, or cleaned of pollutants so that similar ecosystems might exist more easily (Respect 188, 190).

e. moral triage—prioritizing the four rules: Having outlined four basic rules that guide the ethical conduct of those who demonstrate an attitude of respect for nature, Taylor offers examples of how these rules are to be prioritized.

The duty of nonmaleficence has primary place, and *must never be superseded*. Noninterference, on the other hand, can be outweighed by either the fidelity rule or restitutive justice, provided that "great good is brought about and no creature is permanently harmed by the permitted interference" (P. Taylor, Respect 197).

Taylor uses the example of putting up a fence to maintain fidelity. If the woodland is a place where animals have come to dwell, and have learned to feel safe, then a fence that prevents feral children and other marauding humans from upsetting woodland residents, is a legitimate solution. Such a fence might prevent other animals from traveling outside the barrier, but would be an overall benefit to those within. This fence is legitimate because it maintains fidelity established between the human who has bought the land and the animals that dwell therein (P. Taylor, Respect 195). As this example shows, one who respects nature may interfere with wild organisms in order to maintain fidelity in a way that will bring about an overall greater good.

Similarly, fidelity can be overruled for restitutive justice if a significant good is gained and little harm done. Taylor offers the example of cleaning up after an oil-spill: "To clean the oil from their feathers the birds must be caught, and this often involves breaking a trust they place in us to leave them alone... [An] attempt to help them justifies the momentary acts of infidelity that cannot be avoided" (Respect 197).

Next Taylor postulates cases of competing interests between humans and other organisms, and explains how his four ethical rules resolve "moral dilemmas that arise when human rights and values conflict with the good of non-humans" (Respect 256). Conflicts between life forms are an inevitable result of sharing the earth with other living things. "Every society... interferes with and makes use of some parts of the natural world" (P. Taylor, Respect 257). It is in this section, while explaining how conflicts of interest are to be resolved, that Taylor reveals how human rights and respect for nature interact.

Taylor reiterates: when one has respect for nature it is "morally irrelevant... that wild animals and plants, unlike human persons, are not bearers of moral rights" (P. Taylor, Respect 262). Human rights are only relevant *within* the membership of a moral community. Our rights hold no sway in our interactions with the larger world. Intraspecies interactions are informed and guided by the biocentric outlook and the attitude of respect for nature. Inherent worth possessed by every being that has a good of its own, requires that each entity receive equal concern and consideration alongside humans (P. Taylor, Respect 260-262). Taylor reasserts his conviction that humans do not automatically take precedence over the good of other organisms (Respect 152).

4. *Five Principles.*

Taylor introduces five principles to represent five morally relevant considerations. The application of these five principles reveals how Taylor's four ethical rules (stated above) are enacted in situations of conflict between humans and wild life (Respect 263):

a. *self-defense*: Taylor's self-defense principle balances against nonmaleficence, allowing moral agents to protect themselves against dangerous organisms. We are morally obligated to avoid the need to use self defense (P. Taylor, Respect 268). When conflict cannot be avoided, self-defense is permissible, even to the point of killing. Humans are not obliged to sacrifice their own lives for other forms of life ("In Defense" 243). Taylor defines a harmful or dangerous organism as "one whose activities threaten the life or basic health" of moral agents (Respect 265). Self-defense allows moral agents to protect themselves against moral subjects, even if other organisms will be destroyed along with those that threaten our lives or safety (P. Taylor, Respect 266).

In the process of presenting his rule of self-defense, Taylor makes two assertions: *Self-defense is species-blind and personhood is worthy of preservation* "The fact that (most) humans are moral agents and (most) non-humans are not is a contingent truth which the principle does not take to be morally relevant" (P. Taylor, Respect 266). Taylor cautions that the principle of self-defense does not indicate that moral agents have greater inherent worth than moral subjects. The principle of self-defense merely acknowledges that personhood is fundamentally worthy of preservation (Respect 268). We have a right

to defend our lives against other organisms (just as human ethics allow moral agents to defend themselves against violent people without indicating that such humans have a lesser inherent worth) (Respect 267).

Only this first principle applies to conflicts that are life threatening to moral agents (Respect 269).

b. *proportionality*: Proportionality (and the next principle, that of minimum wrong), apply to cases that involve *basic* interests of moral subjects and *nonbasic* interest of persons.

Taylor defines nonbasic interests as interests that promote the good of an entity, and basic interests are those interests *necessary* for an organism to maintain their existence as the type of being that they are.

When “morally legitimate,” humans have a *right* to have basic interests fulfilled because they hold moral rights. Humans are not considered morally legitimate in Taylor’s theory if they pursue nonbasic human interests that are “*intrinsically incompatible with the attitude of respect for nature*” (Respect 272-275). Taylor asserts that such actions negate the inherent worth of wild things and are therefore not permissible (though such actions are perfectly acceptable within the narrow framework of human ethics).

The principle of proportionality covers morally abhorrent activities such as the ivory and fur trade, collecting butterflies or wildflowers, selling exotic animals, and recreational killing (such as hunting and fishing when flesh is not necessary for survival). Because these actions sacrifice the basic interests of other entities for nonbasic human interests, these activities fail to demonstrate respect for nature, and they fall outside of Taylor’s description of acceptable moral behaviour. The principle of proportionality allows that when there is “a conflict between human values and the good of (harmless) wild animals and plants, greater weight is to be given to basic than to nonbasic interests, no matter what species, human or other, the competing claims arise from” (P. Taylor, Respect 278).

c. *minimum wrong*: The minimum wrong principle also applies to conflicts of interest that involve nonbasic human interests and basic interests of moral subjects.

However, in this case the conflicts *are* compatible with respect for nature (i.e. they do not demonstrate an exploitative attitude that fails to honour the inherent worth of moral subjects). Although damaging to other beings, certain actions are permitted because they involve valuable human ends. In such cases gains outweigh undesirable consequences, "even when such weight is assigned by one who has full respect for nature" (P. Taylor, Respect 277).

Taylor offers examples: creating a park or building a dam, constructing an airport or art museum. He remarks that "whether people who have true respect for nature would give up the activities involved in these situations depends on the value they place on the various interests being furthered," and on any possibilities for less damaging alternatives (Respect 277).

The construction of "buildings, highways, airports, and harbors," represent nonbasic interests, yet these are all necessary to "high-level civilization based on advancement of scientific and humanistic knowledge" complete with an "aesthetically rich culture" (Respect 289). These activities cause harm to ecosystems, but are central to humans *as the type of creatures that they are*.

The principle of minimum wrong allows that "rational, informed, and autonomous persons who hold the attitude of respect for nature," and who feel it is important to engage in certain activities that harm wild animals and plants, may do so (P. Taylor, Respect 282). However, all such actions must involve "fewer wrongs (violations of duties) than any alternative" (P. Taylor, Respect 283). The actions must also be valued in and of themselves. Alternatively, they must be directed toward a work of art, natural wonder, historical monument, or aspect of nature that is supremely valued by "rational and enlightened" persons for aesthetic, historical, or cultural, reasons, or as "a matter of personal sentiment, wonder, or admiration" (P. Taylor, Respect 282, 74).

Minimum wrong requires us to regulate human development, consumption, and expansion. We are expected to recycle, and clean up fouled areas. We must use appropriate energy-efficient, clean technologies, and we must limit and control damage

with environmental legislation. These restrictions minimize wrongs done to non-humans in natural ecosystems for the benefit of humans (P. Taylor, Respect 283).

Taylor's minimum wrong principle also applies to instances where humans kill other entities *directly* for nonbasic needs. For instance, when we take organisms for art, research, or education, and when we use pesticides or herbicides. Minimum harm allows for this type of destruction, but requires that these acts be carefully scrutinized, and that damages be minimized (P. Taylor, Respect 290-291).

d. *distributive justice*: Distributive justice provides for the "just distribution of interest-fulfillment" when the interests of both parties are basic, and when the moral patient poses no threat to the moral agent. The purpose of distributive justice is to "make it possible for wild animals and plants to carry on their natural existence side by side with human cultures" (P. Taylor, Respect 293). Taylor offers two examples: hunting wild animals for food where extreme environmental conditions permit of no other food source (as in the Arctic or at high altitudes) and culling wild animals in environments where conditions do not allow one to live from horticulture or animal husbandry.

Generally speaking, Taylor explains, we must kill to live. All entities have inherent worth, so it is no less wrong to kill a plant than an animal (Respect 293-295). While the suffering of animals is a moral concern, if animals are raised and killed humanely, only increased land-use offers a cogent argument in favour of vegetarianism. "We can greatly reduce the amount of cultivated land needed for human food production by changing from meat-eating culture to a vegetarian culture... Vegetarians, in short, use much less of the Earth's surface to sustain themselves than do meat-eaters. And the less humans use for themselves the more there is for other species" (Respect 296).

Distributive justice requires that we consider carefully whether or not there is any way to avoid eating wild animals. When eating other creatures cannot be avoided, we are obligated to eat those that are plentiful, and to hunt and kill them as humanely as possible (Respect 294).

Taylor presents four means of distributive justice:

- *permanent habitat allocation*: habitat set aside permanently, where non-human entities can live free from human interference;
- *common conservation*: sharing resources fairly with non-human entities that depend for their existence on the same limited resources;
- *environmental integration*: integrating wild organisms into non-natural environments—such as golf courses and city parks—by taking specific measures to make these environments safe and habitable; and
- *rotation*: completely removing ourselves either temporarily or permanently from environments, when possible, such as by closing and restoring mines, research and specimen points, temporary buildings, emergency water-sources, or seasonal clamming marshes (Respect 302).

Each of these measures allows wild entities to recover and find reprieve from admissible human interference.

e. *restitutive justice*: Restitutive justice acknowledges that although "fair shares are equal shares... this ideal is never wholly realizable" (P. Taylor, Respect 304). Though the principles of distributive justice and minimum wrong help balance the scales, harms are still incurred by non-humans because of humans. Therefore, restitution is due as an attempt to restore the balance of justice.

Taylor explains that "whenever we cause harm to animals and plants in the pursuit of our human values, some recognition must be given to the fact that our treatment of them is *prima facie* wrong" (Respect 286). "The greater the harm done, the greater the compensation required," and Taylor suggests that restitution focus on "whole ecosystems and their biotic communities" (Respect 305), in order to maximize benefits offered to the greatest number of individuals. "We can, as it were, return the favor they do us by doing something for their sake" (Respect 306).

Summary

Taylor summarizes his theory of environmental ethics as "a matter of fairness to wild animals and plants... [aimed at] a fundamental harmony between nature and human civilization" (Respect 305). He admits that his theory requires a "profound moral

reorientation" (Respect 313) that must begin with "an *inner* change in our moral beliefs and commitments" (Respect 312).

Taylor's theory requires "sensitivity and awareness" yet demonstrates that respect for life "is not vacuous, in that it does provide a *ceteris paribus* encouragement in the direction of nutritional, scientific, and medical practices of a genuinely life-respecting sort" (Goodpaster, "On Being" 324). His theory offers insightful and challenging possibilities for protectionism, and offers a much more comprehensive ethical system than any normative ethic can begin to support. It is perhaps for these reasons that Respect for Nature has almost "come to define the perspective of biocentric individualism" (Sterba 191).

B. *Discussion.*

Taylor makes some controversial assumptions and seems to have some theoretical problems in his theory. Most importantly, Taylor's work seems harmed by a tendency toward humanocentrism, most flagrantly in his acceptance of human rights, while rejecting rights for all other entities.

1. *Controversial Assumptions.*

a. *species versus individuals*: The vast majority of environmental philosophers are holistic; they argue that ethics ought to focus on the species rather than the individual. Others, such as Taylor, assert that the individual has preeminence.

Holistic protectionists argue that, even if we believe we will gain significantly by its demise, we ought to preserve every species because each species "has moral significance in its own right" (L. Johnson 169). Individuals are expendable, but species are not. "The good of a species or the good of an ecosystem or the good of the whole biotic community can trump the good of individual living beings" (Sterba 200-201). The importance of any one organism is dependent on the larger group (Agar 402).

Those who ascribe to the species approach assert that individuals ought to be sacrificed for the good of the whole: exotics ought to be eliminated to protect local species, grazers killed to protect rare plants—even human beings that threaten endangered species might be better eliminated (Hettinger 5). Holistic philosophers argue that anyone

who focuses on the individual neglects the interests of the larger group, or community, by protecting such harmful individuals (L. Johnson 238).

Holistic protectionists also argue that biological sciences indicate that it is more consistent with nature to favour species; natural selection seems careless with individuals (Rolston 22). In fact, the death of individuals is necessary to the healthy maintenance of the whole:

The death of individuals, often violently by predation, is necessary both for the health of species and the viability of ecosystems. Zebras have, presumably, an interest in survival, but the future of the veldt depends, partly, on the regular killing of zebras by lions and hyenas. To understand the sense in which it is *good* that predators kill their prey, it is necessary to abandon the individualistic frame of reference and adopt a holistic approach... Indeed, where major predators have been exterminated... it may even be a duty of humans to assume the role of major predator. [Where] browsing mammals... have been introduced, the culling or even extermination of these species is essential to the survival of native forests and other vulnerable habitat. (Gunn, "Traditional" 149)

Those who favour protecting species argue that the predator/prey relationship supports their point of view. Prey species depend on predators for the maintenance of healthy populations at sustainable numbers, yet being eaten is not in any *individual's* interest (L. Johnson 163). "When a wolf kills a deer, the deer clearly suffers loss. From the point of view of the deer population and of the ecosystem, however, such a loss is actually a positive value" (Scoville 120). Because of this predator/prey relationship, holistic philosophers note that preserving individuals *per se* is misguided because this method cannot "serve to protect the ongoing integrity of nature" (Gunn, "Traditional" 149).

However, this holistic argument seems flawed. It seems that Zebras and deer *do* have an interest in predators—each has a personal interest in some *other* zebra or deer being eaten. Inter-species competition indicates that individuals have an interest in the demise of other members within their own species. Thus deer and zebra *do* have an

interest in having predators kill *others* of their kind. In fact, individual members of a species continue to compete with one another *even when extinction looms large on the horizon* (Williams 53). This indicates that *preserving individuals is exactly what the mechanisms of nature indicate*.

If we accept that individuals have an interest in predators, perhaps we are obligated to reintroduce predators wherever they have been eliminated, *for the benefit of the prey*. (Hunters cannot replace other predators, because they do not select out the weakest members of a given population.)

The holistic approach is most often backed by human self-interest in biodiversity (Norton 162). Humans protect biological diversity for *our* sake, not for the sake of the individuals involved. We take delight in marveling at the great elephants; we do not want to lose the possible medicinal value of the chestnut weevil—we attach great importance to biodiversity for the maintenance and evolution of all life—ours included. Human interest in biodiversity remains self-centered. The holistic approach allows for a “collector’s instinct,” preserving a few of this, and a few of that, simply because these creatures please us or seem important to our welfare (Naverson, “Animal” 162).

In contrast, moral individualists believe that

what matters is the individual characteristics of organisms, and not the classes to which they are assigned. The heart of moral individualism is an equal concern for the welfare of all beings, with distinctions made among them only when there are relevant differences that justify differences in treatment. (Rachels, Created 222)

Those who focus moral attention on the individual argue that an ethical theory failing to protect the many vulnerable components of our ecosystem is inadequate (Callicott, “Intrinsic” 161). They assert that emphasizing the whole abrogates the value of the parts, particularly the value of individuals, whether human or animal (Midgley, “A Problem” 62).

Those who favour the holistic approach counter that individualists might allow entire species to be lost while they are laboring to save a few individuals (L. Johnson 235), but it seems unlikely that an entire species could be lost if one strives to save each individual. To save each individual is in fact to save the species. It is possible that the individualist's approach might lose an entire species if members of a species are *allowed* to perish in order to free them from ongoing suffering and exploitation (E. Johnson, "Animal" 267). For instance, this might be considered a humane solution to the thousands of poultry and pigs, rabbits and rats, maintained for human exploitation in the food and medical industries. Aside from this instance it is difficult to see how saving individuals *within* populations will allow for the extinction of that species.

In fact caring for individuals is likely to favour rare species. Killing a member of a rare species (or allowing it to die) adds, proportionally, greater stress to the remaining members. For instance, the difficulty of finding a mate in a dwindling species is significantly enhanced when one member is lost. Consider a rare bird, the black stilt:

Because pied stilts are plentiful, killing five does not have a real impact on the ability of the remaining individuals to mate successfully. By contrast, killing five black stilts has a serious impact on the chances of other stilts to breed. Further, a small reduction in the ability of current stilts to produce offspring translates into a much greater reduction in the chances that their offspring will produce offspring. (Agar 413-414).

Concern for individuals will result in more care for individuals from a rare species, when the choice must be made, because of the heightened impact of one loss on remaining members. In such instances, favouring individuals also favours rare species.

An individualist might well agree with an holistic protectionist regarding the removal of an introduced species, but they are apt to disagree on methods. The individualist is more apt to advocate *relocating* "problem" species. This response assumes the importance of individuals, yet works for the benefit of both individuals and species.

Effective moral philosophy is based on consistency; the individualist's approach is consistent with Western ethics with regard to human life. If our ethic were holistic, we would not maintain individuals with hereditary disorders such as hemophilia within our breeding population. Are we prepared to carry a holistic ethic into our own ranks? If not, how do we justify this approach with regard to other species?

Distinctions between species and individuals are sometimes hazy. Control over the fate of populations "brings with it some responsibility for the welfare of the individuals of which they are comprised" (Kirkwood 140). While the whole may be greater than the sum of its parts, it is also true that "the well-being of species, more often than not, follows when justice is secured for individual members of the species" (Thero 101).

Taylor focuses his ethical theory on the individual, but his views seem inconsistent. For instance, he argues that it is a greater wrong to kill a rare wildflower than to kill a human in an act of self-defense ("In Defense" 242-243). As an individualist, Taylor is inconsistent if he notes "rarity." How can an individual be rare? The notion of "endangered," or "rare," is a function of being *part of a whole*, and makes no sense otherwise. Taylor also suggests that, if we are to eat the bodies of other animals, we ought to eat animals that are "plentiful" (Respect 294). Again, individuals cannot be plentiful; only members of a species can be numerous. Perhaps most blatantly, Taylor writes that his principle of restitutive justice ought to focus on "the soundness and health of whole ecosystems and their biotic communities" (Respect 305)—not individuals. The blurred lines between the holistic and individualistic approaches to protectionism are apparent in Taylor's work.

These inconsistencies aside, Taylor asserts that individuals are the morally significant unit. Consequently, his theory offers a bridge that might welcome a closer partnership between individualists (such as those who fight for animal rights) and those who are holistic (who generally are environmentalists).

b. *teleology*: Taylor writes, "all organisms, whether conscious or not, are teleological centers of life because each is a unified, coherently ordered system of goal-

oriented activities that has a constant tendency to protect and maintain the organism's existence" (Respect 122).

In Taylor's theory the *basis* of inherent value is teleology—an organisms self-maintaining nature. Biological beings "have a variety of needs," and survival depends on how well a being copes with its environment (Broom 90). Teleology guides us to fulfil our needs, to succeed at the daunting task of survival (Williams 136). "Everything that is alive at this moment has meticulously covered all the bases, and is the result of ancestors who displayed brilliant artifices to reproduce against nearly impossible odds" (Sagoff 15).

Taylor asserts that, because organisms "grow, respond to stimuli, reproduce, resist dying, assimilate, and use materials from their environment" in order to survive, we ought to respect their efforts, and their lives (Scoville 121). Each living thing "battles innumerable enemies to maintain its existence... The battle itself seems noble," and the unique capacities of each teleological being justify "the ascription of inherent worth to life in general" ("Inherent" 259-260).

The myriad living things are "equal, in that they are successfully adapted creatures able to survive in their environment" (Gunn, "Traditional" 151). Taylor writes, we are called upon to regard "every entity which has a good of its own as possessing inherent worth—the *same* inherent worth, since none is superior to another" (Respect 155). Teleological entities pursue the realization of their interests, and Taylor asserts that to harm the good of a teleological entity thwarts interests, and denies inherent worth (P. Taylor, Respect 71-72).

The difficulty Taylor faces is to define exactly what teleology is, and apply this definition without absurdity. Taylor must somehow limit inherent worth to biological objects, so that his theory is able to separate "a barnacle's good from that of a radium atom" (Agar 399). Yet teleology has a long history of vague and overarching application.

Philosophers have discussed teleology for at least two millennia. Aristotle wrote, "...each of the parts of the body, like every other instrument, is for the sake of some purpose, viz. some action, it is evident that the body as a whole must exist for the sake of some complex action" (Williams 41). David Hume commented that biological

“mechanisms,” and “even their most minute parts, are adjusted to each other with an accuracy which ravishes into admiration all men who have ever contemplated them. The curious adapting of means to ends, throughout all nature, resembles exactly, though it much exceeds, the productions of human contrivance” (Williams 33).

Since the general observations of philosophers such as Aristotle and Hume, entire books have been written on the subject of teleology, yet the concept remains indistinct. Teleology defines instances as diverse as the function of organs and the behaviour of species (Mayr 38). Characteristic language of teleology includes function, purpose, goal, and behaviours that are intended to “bring about” a certain end (Mayr 39). Teleology is a “commonly recognized but loosely delineated trait of biological organisms” often used to “distinguish living from inanimate things,” and most easily identified as “the apparently purposive character of living organisms” (Nagel 276).

Definitions indicate that the essence of goal and function ascriptions—the essence of teleology—is survival. “The only thing that anything in nature is designed to accomplish is its own success” (Williams 156). Teleological entities strive to persist genetically. In this sense entities are not complete wholes, but rather places “where various processes operate” (Williams 116).

Teleology is based on *purpose*. As discussed in other chapters, knowing the minds or meanings of actions for other creatures—or even for ourselves—is extremely difficult, if possible.

For instance, consider the two main types of teleological statements: goal ascriptions and function ascriptions. Goal ascriptions state some outcome or goal toward which certain activities or mechanisms of an organism are directed,” such as a woodpecker pecking *to find* grubs (Nagel 277). Function ascriptions call attention to “some of the effects of a given item or of its activities in an organism,” such as *the function of* teeth is to chew food (Nagel 277). Our dog tears the skin off tennis balls. Is this best described as a function or an ascription behaviour? How might I determine if this behaviour is indicative of a teleological entity?

Perhaps Taylor could base his ascriptions of teleological function on empirical evidence: complex systems of biological entities have evolved with a specific purpose for that entity (Agar 400). For instance, it seems evident that the wool of a sheep has evolved to keep sheep warm (not to bolster the profits of wool producers). Similarly, deer muscles have most likely evolved for mobility (not for the teeth of flesh-eaters). Natural selection has resulted in the wool of sheep, the muscles of deer, and the blubber of whales because these attributes enhance fitness for survival. A radium atom appears to have no comparable complex system of adaptive evolution. (One could argue that the muscles of deer are intended to feed carnivores, either by divine intent or by natural selection—biology favoured predators that ate flesh in areas where deer were numerous. But this would be more difficult to establish and defend as an explanation for the existence of muscles in deer.)

However, focusing on evolution might thwart Taylor's purpose. Perhaps natural selection merely rewards successful combinations of genes, without regard to individuals. In this case the evolutionary process of individual entities, or species, does not qualify as teleological. Each entity survives because it happens to be the result of successful combinations of genes (Mayr 43). "If genes are the targets of selection, then the preservation of genes is the most fundamental function or purpose of natural things and an ethic grounded in the maintenance of biological... interests must be focused on genes rather than on individual organisms" (Agar 401). In this case genes are the proper focus of Taylor's teleologically based environmental theory.

Teleology has proven difficult to define and even more difficult to successfully apply. Can Taylor's ethic based on teleological interests that do not require having a mind or mental desire, logically exclude machines? "Insofar as we can speak of plants, other life forms, whole species, or ecosystems as having... a good or well-being, it... seems that we can speak of machines having interests in the same sense" (Kaufman 60). Machines maintain themselves in "homeostatic equilibrium;" one can refer to a "running engine's well being" (Kaufman 59-61).

Determinism provides grounds for considering the machine-like qualities of

organisms. Consciousness alone cannot prevent living beings from being categorized as machines if we adopt a deterministic philosophy.

But clear distinctions exist between organic entities and machines. An organic entity is the product of natural selection and participates in a struggle for existence, neither of which is true for machines. When a living entity dies, the parts disintegrate, whereas the parts of machines do not. The telos of a machine is extrinsic, "imposed by the mind and hand of man," whereas the telos of living entities is intrinsic, theological explanations aside (Rollin 40). Living organisms are "the only problem solving complexes in the universe," as distinct from machines (including computers), which are (at least right now) "merely among the means that human organisms use to solve problems" (Williams 16). These distinctions seem to place living organisms in a separate category with regard to teleology.

Taylor bases his theory on teleology. But teleology remains ill-defined and controversial, and carries "numerous and seemingly weighty objections" (Mayr 41). In the absence of a clear understanding of teleology, it is difficult to determine the moral significance of Taylor's "teleological beings."

c. *inherent worth*: Taylor asserts that entities that have teleology have interests that ought to be respected, and that this entails inherent worth in those entities.

Some philosophers assert that value can only exist in relation to others. "Since value is thoroughly relational, goodness for one's self is inseparable from goodness for others" (Scoville 117-118).

"Value is present wherever being confronts being, wherever there is becoming in the midst of plural, interdependent, and interacting existences. It is not a function of being as such but of being in relation to being." This statement sounds very much like a description of what goes on in an ecosystem. True, ...no warbler eats insects so that it may be of value to the falcon to which it falls prey. ...Yet, viewed objectively within the interrelationships of the ecosystem, it is just here, in the relationship of insects, warblers, and falcons, that value occurs. (Scoville, 118).

One argument for acknowledging inherent value moves from this assertion of

instrumental value to assert that natural entities must have instrumental value in order to avoid an infinite regress. For instance, if a bird eats a worm, then the worm has instrumental value, and the bird must have inherent value. If not, an infinite regress begins which can only end with some end in itself, such as a divine being (Lee 300).

Inherent value can also be understood as the capacity to strive to maintain ones functioning integrity:

...mutely enacted values "occur every time natural beings succeed in maintaining their functioning integrity, achieving "goods" that "are their own." ...every time a bluetit finds an insect (or seed) to eat when it is hungry, ...every time a plant grows taller to reach the sunlight, it, too, is generating or enacting a value. ...such values existed in nature before the arrival of human consciousness and will continue to exist even after the disappearance of such consciousness from the world. The source and locus of recognized-articulated values are indeed humans; the source and locus of mutely enacted values are, in addition, other natural non-human beings. (Lee 308)

While there are several arguments to support inherent value, the existence and nature of inherent value are far from clear. Yet this concept is important to his theory.

2. *Theoretical Considerations.*

a. *natural:* Taylor calls his theory "Respect for Nature." He restricts the application of his environmental ethics to plants and animals that are not cultivated or raised, and the lands they occupy, or might be encouraged to occupy (Respect 3). "What makes them 'natural' in the sense meant here," Taylor writes, "is the fact that the biological and environmental factors determining the structure of relationships holding among their constituent species-populations take place without human intervention" (Respect 4). The defining characteristic, for Taylor, is that humans have not intervened in the environment and biology that affect the relationships of the entities. Yet he admits, "...doubts might be raised as to whether any genuinely natural ecosystems now exist on our planet" (Respect 4). Taylor's focus on "natural" entities might prove to be purely hypothetical, and arbitrary, or even worse—counterproductive and self-contradictory.

Taylor's ethical theory seems hypothetical rather than real because humans venture into even the most remote environments. Our pollution rides the winds and the tides from one vast continent to the next. The greenhouse effect is not limited to areas inhabited by humans, but affects the entire earth. Are there any environments, or biological entities free of human intervention? Can caribou, deer, moose, wolves, otter, and bald eagles—the numbers of each either artificially inflated or deflated according to human desire—be considered natural if Taylor is consistent with his definition of wild? Is it reasonable to consider maggots, coyotes, robins, pigeons, raccoons, sparrows, and fruit flies dwelling in urban areas non-natural?

Taylor's use of "natural" also seems arbitrary. For instance, when do "exotic" entities become part of the natural environment? "Are ring-necked pheasants still exotic in South Dakota? Are daylilies? Are humans?" (Russow 12).

Taylor proposes that what is natural exists free of all human intervention. Thus, as Taylor contends, animals produced by factory farming are not natural. ...Taylor's view implies, more comprehensively, that breeds of dogs and strains of garden vegetables are also not natural. Each has been selectively bred for a place in the human community. Should we then brand as unnatural and eliminate as exotic everything from cats to carrots?...

Taylor's view of natural existence remains problematic, however, because it is not ecological. In any ecosystem, all life is interventionistic. Imagine the ecologically gentle John Muir standing in a Yosemite meadow. His body intervenes between the sun and the summer flowers, casting a shadow. When he walks, he intervenes. ...The life processes of human beings inevitably *come between* the Earth as it would be without humans and the Earth as it comes to be with humans. (Scherer 360)

Taylor accepts "human life as *an integral part of the natural order of the Earth's biosphere*" (Respect 101). If Taylor accepts a domesticated John Muir and millions of citified *humans* as an integral part of the "natural" world, how can he maintain philosophic consistency yet exclude other "domestic" animals?

Taylor's selection of "natural" entities seems not only hypothetical and arbitrary, but also counterproductive. Much of what he excludes is critical to environmental ethics. Factory farms pollute the environment and upset the ecological balance (Midgley, "A Problem" 63), exploit and desecrate vast tracts of land, and release huge quantities of chemicals and waste into the environment (Lappe, 15-16, 26-27). Given the vast tracts of land and astounding numbers of entities involved, and considering the massive effect of these huge enterprises on the planet, any viable environmental ethic ought to caution against—if not overtly denounce—agribusiness. Excluding farmlands and domestic animals is also counterproductive.

Taylor's definition of natural does not protect lands on which we live or farm. If Taylor is to maintain consistency and exclude all entities whose structure of relationships have been effected by human intervention, then he must exclude lands on which we have established trails or campgrounds, lands on which we snowmobile, hike, kayak, hunt, ski, sail—or over which we fly. Indeed, any land we affect and the entities that dwell therein, must be excluded from Taylor's protective ethic. Our presence affects a particular environment, which infringes on Taylor's qualifications for "natural." Under Taylor's theory, only by our rare and very conspicuous absence can lands be eligible for protection.

If such lands do exist, Taylor's theory still seems misguided. Let us assume that half the globe is pristine, and the other half trashed by conglomerate masses of unsightly human civilization: ought environmental ethics to focus exclusively on the untainted half? If there were a place on earth free from human intervention, would such a place be the *proper* focus of environmental ethics?

Environmental ethics stem from our concern about how we affect the environment. We have learned that pollution in one mud-puddle will progress into dirt, streams, lakes, oceans and back to mud-puddles in the same neighborhood. It is not merely metaphorical to say that how one treats the land and water in their backyard affects the lands and waters of every other yard, and every other entity.

Taylor's concept of "natural" is not only untenable, but also seems misguided—there *is* no place that has escaped, or *can* escape, damage done by human beings. Because

no aspect of land or water is isolated, it is unrealistic and counter-productive to limit environmental ethics to narrowly defined geographical areas and "wild" inhabitants.

Taylor's focus on "natural" contradicts his description of an interrelated universe. Taylor does an excellent job of describing the interrelated web of Earth's Community of Life. This being so, how can he deny the moral importance of *any* living entity? How can a herd of six hundred cattle, or a domesticated olive tree, be logically excluded from an ethical system intended to protect an interconnected earth?

Perhaps Taylor would justify the exclusion of domestic animals as mere derivatives of human purposes. Taylor indicates that "the goals of a machine are derivative, whereas the goals of a living thing are original. The ends and purposes of machines are built into them by their human creators" (P. Taylor, Respect 124). Taylor might argue that, just as machines are not teleological entities in their own right, animals bred specifically for human entertainment, companionship, food, research, or furs are also not teleological entities in their own right. They are like machines—living only for someone else's purposes.

Like computers, rabbits bred for food and kittens raised for scientific research have a derivative purpose. The same is true of racehorses, purebred dogs, miniature goats, and perhaps even our own children. At least since the time of Descartes, large groups of people have excluded domestic animals—if not all animals—from moral consideration simply because they were not considered ends in themselves.

Domestic animals are the creations of man... There is thus something profoundly incoherent (and insensitive as well) in the complaint of some animal liberationists that the "natural behavior" of chickens and bobby [veal] calves is cruelly frustrated on factory farms. It would make almost as much sense to speak of the natural behavior of tables and chairs. (Callicott, "Animal" 330)

Perhaps on this ground Taylor would exclude domesticated cattle and olive trees.

There are two reasons why Taylor could not use this argument and maintain theoretical consistency. First, Taylor himself asserts that there are fundamental

distinctions between machines and biological entities: "The goal-oriented operations of machines are not inherent to them as the goal-oriented behavior of organisms is inherent to *them*" (Respect 124). Even those animals that exist because of human breeding, and whose lives human beings have staked out for a specific "derivative goal," qualify as teleological life forms for Taylor, *whereas machines do not*. Taylor's definition of the equal inherent worth of all teleological beings does not allow him to exclude domestic animals and maintain consistency.

Second, Taylor *encourages* captive breeding for reintroducing wild, rare animals back into the "natural" world (Respect 196-197).

Captive-bred animals necessarily harm the integrity of any "wild" ecosystem into which they are released. Captive-bred animals are not the same as those raised in wild, natural settings.

A species, like any other thing with interests, has an interest in maintaining itself as a coherent, integrated, functional ongoing whole with a particular self-identity. This requires more than just survival. It is a matter of what survives. Relating to a particular sort of environment is part of the self-identity of a species—and pressure from the environment helps a species to maintain its self-identity. What does a species profit if it gains survival and loses its soul? (L. Johnson 179-180)

Animals in captivity *cannot* be preserved *as the same animals* they would be if raised in a natural environment. Captive-bred animals—no less than domestic "pets," "laboratory," or "farm" animals—exist due to human contrivance to satisfy a specific human goal. Obviously, captive-bred entities bring human intervention with them into any ecosystem where they are released. For all these reasons, Taylor's acceptance of captive-bred animals into wild ecosystems contradicts his focus on "natural" entities—entities whose relations are unaffected by human intervention. Captive breeding is inherently "unnatural," and therefore harms the integrity of wild individuals and species.

On what grounds could Taylor possibly exclude domestic animals that are raised for human ends, and include captive-bred animals in his theory? Clearly both exist because of human contrivance.

Similarly, Taylor cannot maintain theoretical consistency with regard to his focus on "natural," "wild" teleological entities and include restitutive justice in his theory. If one is to make restitution in "natural" places, or with "wild" animals, one simultaneously destroys what is "natural." In Taylor's theory, entities and land effected by human restitution no longer qualify as "natural," and are excluded from moral consideration. Taylor cannot consistently include those effected by restitutive justice, nor captive-bred animals, under the protective canopy of his theory while rejecting other teleological entities simply because they have been affected by human intervention.

In light of Taylor's discussion of the interconnected biocentric outlook, in light of the slippery slopes of what constitutes "natural," consistency requires that *all* life forms be encompassed in Taylor's environmental theory of ethics, especially given that he accepts captive bred animals and encourages restitution. Taylor limits the protective abilities of his environmental ethic to exclude domestic animals, but Respect for Nature requires comprehensive application of his protectionist theory.

b. *diet*: Taylor seems uninformed and inconsistent with regard to flesh-consumption. He asserts that a vegetarian diet is no better than a meat diet because "plants, just like animals, are our equals in inherent worth." Plants are wronged just as surely as animals when we cut off their existence prematurely for consumption (P. Taylor, Respect 295). In light of this, Taylor asks, "why should eating plants be ethically more desirable than eating animals?" (Respect 293). He concludes, *if animals do not suffer in the process*, there is no ethical reason to prefer eating plants to animals.

Contradicting himself, Taylor acknowledges that the Western flesh-industry requires farming much more land than a vegetarian diet. He wisely concludes that "anyone who has respect for nature will be on the side of vegetarianism" (Respect 257). In the next moment he asserts that it would require more farmland to produce enough vegetables

for a completely vegetarian population (Respect 257). (He bases this latter assertion on increased need for vegetables for a vegetarian population.)

Taylor seems uninformed on this issue. The flesh-industry in the Western world entails *extreme* suffering for *billions* of sentient individuals, as well as severe environmental degradation (Singer, Animal 92-158). Furthermore, the flesh industry contributes to some of our most frightening environmental problems, such as the greenhouse effect caused by the release of methane from "livestock," and the depletion of rainforests for cattle-pasture (Ryder, "Painism" 209). Tons of vegetable crops are raised to feed millions of farm animals, all of which is unnecessary for a vegetarian diet. "In a completely vegetarian human population, people could subsist on about half of the grain we now feed "livestock" (Sterba 203). If we were to eat the vegetable crops we currently feed "livestock," much land could be returned to wild habitat, or developed in preference to clearing "natural" land. If we did not raise cattle, and produce tons of produce to feed cattle, we could avoid much environmental damage.

Aside from the problems of animal suffering and environmental degradation, consistency requires that Taylor advocate eating low on the food chain. His principle of minimum wrong, as well as his focus on individuals, indicates that numbers count. Taylor instructs people to choose to harm as few beings as possible:

...the principle of minimum wrong presupposes that each living thing deserves moral consideration. Since each has inherent worth, a *prima facie* wrong is done when any one of them is harmed. It is true that a greater wrong is done when a whole species-population or biotic community is harmed. This is not because the group *as such* has a greater claim-to-be-respected than the individual, but because harming the group necessarily involves harming many individuals. (Respect 286)

Basic addition will lead Taylor to a plant-based diet. By choosing to eat lower on the food chain, harm to individual life forms is minimized because *animals eat plants before we eat them*. To eat an animal that has been fed by tons of plants is to multiply

harm exponentially. Therefore, Taylor's ethical theory ought to prescribe a *fruitarian* diet. (Fruitarians eat fruits and nuts, rather than plants or animals.)

Instead, Taylor assumes "the necessity of humans to consume non-humans as food" (Respect 293). While he qualifies his assertion, writing that it *may* be possible for *most* people to eat plants rather than animals, he reaffirms that "there are situations where subsistence hunting and fishing are necessary for human survival" (Respect 293).

Taylor offers examples to support this assertion. He points to the hunting of whales and seals in the Arctic, of wild goats and sheep in mountainous regions. "In these cases," Taylor concludes (with no further information provided) "it is impossible to raise enough domesticated animals to supply food for a culture's populace, and geographical conditions preclude dependence on plant life as a source of nutrition" (Respect 293). Taylor also writes "culling wild animals for food where environmental conditions make it impossible to raise domestic animals or to grow edible plants for human survival" (Respect 294). He uses Africa as an example, where the wildebeest and water buffalo are hunted down and then eaten. Taylor admits that our use of animals for food—under any conditions—constitutes a violation of our "prima facie duty" because we use them as a "mere means to our ends" (Respect 294). Regrettably, Taylor indicates, this is sometimes necessary.

Taylor's use of the word, "culling" suggests that some animals are superfluous. "Culling" refers to the "regulation or reduction of animal populations (especially surplus animals)..." (Norton 330). "Culling" fails to exemplify a belief in the inherent worth of each individual. This term implies expendability, superfluousness, and irrelevance, and Taylor probably would not refer to "surplus" humans. Taylor's word-choice reveals a lack of respect for teleological entities.

Second, eating other animals—even in the situations outlined—is not consistent with Taylor's own requirements for "minimizing wrong." In the Arctic, and even in high mountainous regions in China, Tibet, and Nepal, people import food staples such as sugar and flour. Fresh vegetables such as squash grow high in Himalayas. The Inuit (Eskimo)

people of Northwestern Alaska drink tea and cow's nursing milk, eat peanut butter and ice cream along with seal meat.

Places inhabited by grazing animals necessarily have vegetation. In places that sustain wild vegetation, humans can grow vegetables. Respect for nature would require that such individuals grow and consume vegetables rather than hunt or raise domestic animals.

Hunters—even in the most remote camps in Alaska—wear manufactured clothing, use modern transport and weapons, and import basic food staples. Consequently, they do not need to hunt. Under such conditions, hunting fails to minimize wrong and reveals a lack of respect for nature.

Places almost surely exist where people can neither import basic staples nor grow or raise their own food, but these places are significantly less frequent than Taylor indicates. The assumption of the necessity of hunting animals in certain places for basic needs is common, but in the vast majority of cases “necessity” is misused in this context. Sweeping generalizations about mountainous regions, or the Arctic, are insufficient.

Taylor's acceptance of flesh-eating amongst human beings, and his prioritizing of basic human interests over non-basic interests of other teleological entities, constitutes a theoretical inconsistency (discussed further in the upcoming section on basic and non-basic interest).

c. *ethical rules*: Taylor's proposes four ethical rules that hold rash implications, seem difficult to implement, are inconsistent with other aspects of his work, and are redundant.

Taylor's first two rules, nonmaleficence and noninterference, are sound in principle but hold unsettling implications. Consider Taylor's following statement with regard to non-interference:

This general policy of nonintervention is a matter of disinterested principle. We may want to help certain species-populations because we like them or because they are beneficial to us, but the rule of noninterference requires that we put aside our personal likes and our human interests with

reference to how we treat them. Our respect for nature means that we acknowledge the sufficiency of the natural world to sustain its own proper order throughout the whole domain of life. (Respect 177)

Taylor offers examples of natural disasters, where we may wish to interfere, but must not: earthquakes, fires caused by lightning, volcanic eruptions, floods, and prolonged droughts. He insists that in every such instance we are "duty-bound not to intervene" because these events "have always taken their toll in the death of many creatures" (Respect 176). Taylor argues that these occurrences are part of what is "natural."

In one sense to have the attitude of respect toward natural ecosystems, toward wild living things, and toward the whole process of evolution is to believe that nothing goes wrong in nature. Even the destruction of an entire biotic community or the extinction of a species is not evidence that something is amiss. If the causes for such events arose within the system of nature itself, nothing improper has happened. (P. Taylor, Respect 177)

Taylor's application of noninterference acknowledges the dynamic aspect of nature, where "new species evolve, old species become extinct, and surviving species change in abundance or genetic composition" (Lemons 219). The natural world around us constantly changes: Varieties of flora and fauna appear and disappear; deserts vanish under the sea and oceans dry up, nature is in a constant state of metamorphoses (E. Johnson, "Animal" 273). We accept the fact that glacial lakes may become forests and that species may move on or die out. Preservation of the *status quo* is neither necessary nor possible. The "long-term viability of ecosystems is not a function of the continued existence of any of its physical or biotic features" (Gunn, "Traditional" 149). In any event, our efforts are pointless: "Although we may save the elephants from extinction in our millennium, in due time they and we shall perish" (Kohak 170).

As Taylor indicates, to accept the biocentric outlook is to accept the constant changes of the natural world, and to recognize human interference as superfluous and

undesirable. But human interference does not allow for the full breadth and diversity of the natural process. A wildfire in the wilderness will destroy much of what exists, but “disasters” are ecologically important (Birch 328). For instance, knobcone pines are dependent on fires for the release of seeds (Little 271), and draughts strengthen genetic lines because only the strongest survive. A natural “disaster” is only a disaster to those who favour the *status quo* over other possibilities. No informed individual would argue that death—even the death of entire species or ecosystems—is not “natural,” perhaps even beneficial, overall.

Taylor’s presentation of the rule of noninterference is consistent with his biocentric belief-system, but he fails to carry this idea to its logical conclusion. Taylor views “human life as *an integral part of the natural order of the Earth’s biosphere*” (Respect 101). For the sake of consistency, Taylor ought to employ the rule of noninterference on human populations. Earthquakes, floods, and famines must be allowed to take their toll on *human* life just as surely as they take their toll on all *other* entities. If Taylor holds that natural selection is best for all *other* populations, he cannot shelter humans from the same fate if he wishes to maintain philosophic consistency.

Surprisingly, there are yet more striking implications to Taylor’s assertion. If we are included in the biocentric outlook of interconnected beings, as Taylor asserts, and if we ought to leave a squid in the mouth of a flounder, as Taylor indicates, then we must also accept the natural outcome of human violence. Taylor asserts that it is not only ethically acceptable, but morally obligatory, to allow spiders and ducks to exploit and kill one another. For the sake of consistency, he ought also to assert that we are ethically bound to allow humans to exploit and kill one another—or other creatures—as seems natural to our bloodthirsty nature. Such long-standing institutions as slavery and such age-old acts as murder, ought to be acknowledged and tolerated as natural human behaviour under the rule of noninterference. If humans are inside the interconnected biocentric outlook *on equal footing*, as Taylor indicates, then we ought to be subjected to all the same rules and principles as every other creature.

It is difficult to accept the logical extreme for Taylor's philosophy. To do so not only undermines his environmental ethics, but also negates human rights and the most basic notions of ethics in general.

Taylor's rule of fidelity seems superfluous. "What the Rule of Fidelity absolutely forbids is the exploiting of a situation where an animal is deliberately led to be trusting, or is made unaware of any danger, as a way to further the nonmoral interests of humans to the detriment of the animal" (Respect 184). He offers hunting, trapping, and fishing as examples of infidelity because these acts are based on "entrapment and betrayal" (Respect 180). Traps are set in areas where animals are likely to pass unsuspectingly; lures attract animals, especially fish, to an imagined food-source; Hunters habitually sneak up on an unsuspecting animals in their natural habitats with intent to kill. Taylor defines these acts as human-centered and exploitative, of treating animals as mere means to human ends.

Are not these actions already forbidden under Taylor's rule of nonmaleficence? All things being equal, nonmaleficence forbids harming an entity that has a good of its own, unless that entity poses a threat (Respect 172). As Taylor himself notes, "hunting, trapping, and fishing involve gross violations of the rules of Nonmaleficence and Noninterference" (Respect 183). Taylor's fidelity rule seems superfluous.

Taylor's fourth rule, restitutive justice (as already discussed) breaches his definition of "natural." Furthermore, it is likely to result in an infinite regress, seems impracticable, fails to comply with his presentation of the biocentric outlook, and seems inherently biased. In any event, the rule of restitutive justice seems as redundant as the rule of fidelity.

Restitutive justice applies in cases where one of the previous three rules has been broken. According to Taylor, even if a rule is broken by morally acceptable actions, restitution is due as acknowledgment of the inherent worth of those entities damaged or destroyed. Taylor recommends that we "further the good" of organisms we have harmed "by making their physical environment more favorable to their continued well-being" (Respect 188). Or, if our activities have resulted in the death of organisms, we might

promote or protect "the good of the species-population or life community in question" (P. Taylor, Respect 188), or clean up polluted habitats (Respect 190).

First, any act of restitution must result in an infinite regress. Restitution will invariably harm non-target entities. How can we possibly enhance the environment for one population without damaging other plants and animals? Acts of restitution will affect other teleological beings: a sprouting great hedge nettle, an ever-hopeful vulture, loitering bacteria, or an unsuspecting gooey-duck. How can one introduce change, hoping to favour a certain species (to which one owes restitution), without harming other plants and animals in the process? Restitution necessarily results in an infinite regress, with ever-increasing damage done, and ever more restitution owed.

Second, the rule of restitution conflicts with other aspects of Taylor's theory. Taylor asserts that noninterference can be outweighed by rules of fidelity or restitutive justice, provided that "great good is brought about and no creature is permanently harmed by the permitted interference" (P. Taylor, Respect 197). But according to Taylor, a great harm is done *any* time we interfere in the existence of a "wild" entity because we thereby rob that entity of "wild" status. If fidelity and restitutive justice override noninterference, as Taylor indicates, humans will destroy the "wild" status of any and all organisms we harm. In Taylor's own words, it will not matter if we "improve their strength, promote their growth, and increase their chances for a long, healthy life. By destroying their status as wild animals or plants, our interference in their lives amounts to an absolute negation of their natural freedom" (P. Taylor, Respect 175). If Taylor is to maintain consistency, noninterference ought to override restitution.

Taylor acknowledges that encouraging certain populations might create further environmental complications. For instance, he notes that favouring a certain species might create an overabundance, in which case it would be essential to interfere *again* in order to remove some of the burgeoning population. Because people are responsible for the initial problem, Taylor asserts that we must act to avoid ongoing, further damage to the entire ecosystem by correcting damage done (P. Taylor, Respect 194).

Taylor's allowance for *certain populations* also seems contradictory, and raises unanswered questions. On what grounds might one who accepts the biocentric outlook interfere with the "natural" population balance? When is a population "natural" such that no human intervention is admissible? If one does interfere, would that population still qualify as "natural," or would it thereby be exempt from moral consideration? How can an organism, or habitat, on which restitution has been done, maintain "natural" status? Taylor will need to address these considerations if he is to include population control in his rule of restitutive justice. As it stands, restitution, by altering "natural" status, places the very targets of restitution outside the scope of Taylor's environmental ethic, which is specifically directed toward "natural" teleological entities.

Third, restitutive justice seems impossible to implement; where it can be implemented, it will be biased. Taylor recommends that harmed individuals be healed as a matter of restitutive justice. This seems reasonable enough if one is able to doctor a wounded entity back to health without destroying its ability to survive in a natural setting. Healing is a viable option only for a few select mammals. However, for vast numbers of plants and animals, especially smaller organisms, assistance is impossible. How would one help a sandworm with internal injuries, or a millipede with broken legs? Restitution seems to favour larger mammals we are only able to act on what we perceive and understand—which excludes billions of smaller (and less-favoured) entities.

Finally, it seems unlikely that restitutive justice can be realized by human beings. When human interests come into conflict with "the survival or flourishing of nonconscious beings... it is extremely doubtful whether such conflicts can *in principle* admit of rational adjudication" (Regan, "Nature" 21). Restitutive justice—if it is to be just—requires an uncommon outside-of-self vision. Whereas we have proven to be remarkably selfish, overall, when making decisions that effect other species.

Restitutive justice is not essential to Taylor's theory. Under his moral guidelines, maintaining natural preserves and cleaning up polluted areas (acts which Taylor lists under restitutive justice) are also an expression of nonmaleficence. Nonmaleficence requires that

we avoid harm to creatures that pose no threat, in which case all lands—and life forms therein—will be *inherently* protected; restitutive justice is superfluous.

3. *Humanocentrism.*

An attitude that elevates human interests is the “common enemy” of any environmental ethic and of those who seek to protect the natural world (“Nature” 32). Taylor describes his theory as a “life-centered theory of environmental ethics that gives impartial consideration to every species” (Respect 306). For Taylor, all entities with inherent value are *equally* deserving of moral consideration (P. Taylor, Respect 79). Impartiality is a character trait Taylor considers to be an important part of respect for nature. Yet Taylor’s work fails to exemplify an egalitarian environmental ethic. Taylor is generous in what he allows humans at the expense of all other species.

Taylor reveals humanocentric tendencies in various areas of his work, including his discussion of values, basic interests versus nonbasic interests, expansion, elitism, competing claims, rotation, the biocentric outlook, and human rights.

a. *valuing humans above other animals:* Taylor’s work indicates that he accepts loss of life for other entities that he most likely would not accept for humans. In place of these lost lives he offers “compensation” in the form of habitat or habitat enhancement (cleaning up). Taylor attempts to show that other animals do us a favour, and that we can return these favours: “Thus we need not bear a burden of eternal guilt because we have used them—and will continue to use them—for our own ends. There is a way to make amends” (Respect 306).

According to Taylor, after we have eaten a few hundred chickens in one short lifetime, we can “return the favor they do us by doing something for their sake” (Respect 306). Can we ethically destroy the lives of animals and refer to the forced sacrifice of their lives as a favour? Can we kill without need and show respect for nature? Would the same be true if the “compensation” were being offered to human beings?

Taylor makes no indication that one need cease the activity for which reparation is made. Protected lands, or a little clean-up, compensate for *ongoing* exploitation and death in Taylor’s theory. If human beings were involved, and if “compensation” was necessary,

then morality would require that the offending activity *cease*. Taylor indicated that impartiality is a character trait shared by those who respect nature. He also stated that a viable ethical theory ought to be structured with the intent that it be applied disinterestedly. Taylor's humanocentrism sometimes prevents both.

In some ways Taylor acknowledges this shortcoming in his theory. He writes,

Since we are not carrying out perfect fairness, we owe some measures of reparation or compensation to wild creatures as their due... recognition of wrongs being done to entities possessing inherent worth calls forth the additional obligation to do what we can to make up for these wrongs. In this way the idea of fairness will be preserved... (Respect 292)

A worthy test for any environmental theory is how well "environmental values, such as respect for species and lifeless tundra, will be maintained when they come in conflict with the value of human lives and qualities of living" (Stone 110). Such conflicts force us to acknowledge all that we gain by exploiting other entities, and how little we are willing to sacrifice in order to protect the interests of habitat and other species. Our decisions reflect values. "[S]ome nations value whales in the ocean; others, on their plates" (Stone 110).

Taylor values additional art museums at the expense of the myriad organisms that will be destroyed to construct and maintain these new institutions. He reveals an interest in maintaining a particular quality of life for human beings *even though this quality of life will destroy many other teleological entities*. He justifies his preference as a human right; we have the right to maintain our integrity as the type of creatures that we are ("Inherent" 27). If we accept new art museums as fundamental to the types of beings that we are, and therefore our *due* as persons, logical extremes will require that we accept recreational vehicles, aerosol, and Styrofoam cups as our human *right* as the type of beings that we are.

Taylor offers no guidelines as to how we will determine what kind of a being each species is, and he fails to discuss which behaviours indicate a fundamental part of who we

are, and which might be altered for the sake of the environment. Without these qualifications, Taylor's environmental ethic might well be a method by which one could justify any and all current human endeavors as appropriate for the type of beings that we are.

b. *basic versus non-basic interests*: Taylor's tendency to favour human beings over other entities results in inconsistencies in the application of his principles of proportionality and minimum wrong, and in the way he prioritizes basic and nonbasic interests.

Taylor defines nonbasic interests as interests that promote the good of an entity, and basic interests as *necessary* for an organism to maintain existence as the type of being that it is. Taylor's principle of proportionality asserts that it is immoral to sacrifice the basic interests of other entities for the sake of nonbasic human interests. Such actions show a lack of respect for nature and fail to apply ethics in a disinterested manner (Respect 27). Taylor asserts that when there is "a conflict between human values and the good of (harmless) wild animals and plants, greater weight is to be given to basic than to nonbasic interests, no matter what species, human or other, the competing claims arise from" (P. Taylor, Respect 278). He adds: nonbasic human interests that are "*intrinsically incompatible with the attitude of respect for nature*" are immoral because such interests deny the inherent worth of wild things (Respect 273-275).

But Taylor's theory is not egalitarian on four counts. First, Taylor applies his egalitarian assessment of prioritizing interests only to human interests that are *incompatible* with respect for nature; Taylor only applies his egalitarian ideal to "*illegitimate*" nonbasic human interests. Taylor's examples demonstrate that *any* human interests (even nonbasic) deemed consistent with respect for nature override the *basic* interests of other entities.

For instance, Taylor's list of permissible, environmentally destructive human enterprises includes:

Building an art museum or library where natural habitat must be destroyed.

Constructing an airport, railroad, harbor, or highway involving the serious disturbance of a natural ecosystem.

Replacing a native forest with a timber plantation.

Damming a free-flowing river for a hydroelectric power project.

Landscaping a natural woodland in making a public park. (Respect 276-7).

This list reveals Taylor's willingness to destroy non-human life and vital habitat (infringing on basic interests), for non-basic human interests such as landscaping a park. Taylor's examples indicate that his theory "provides wide-ranging justification for acts by humans that harm animals, microorganisms, and plants" (French 49). For Taylor, in "a wide range of cases it is proper for humans' 'highly valued,' but nonbasic interests to be given greater moral weight than the basic interests of animals and plants" (French 49). Taylor's examples fail to comply with his assertion of equal inherent worth of teleological entities, and his assertion that nonbasic interests ought not to override basic interests.

Taylor also asserts that ethics ought to override all non-moral norms. Yet his theory allows human interests in art and history to override protection of the basic interests of other teleological entities.

Second, Taylor offers concessions for the interests of "enlightened" human's: "Enlightened" humans may pursue ends they regard as important to their way of life, so long as there are no "alternative institutions and practices which could be used by the community to accomplish the same social ends but which would involve fewer instances of wrongdoing to wild living things in natural ecosystems" (P. Taylor, Respect 283). The minimum wrong principle merely asks that we minimize the "number of violations of the rule of nonmaleficence," even if there *is* no way to minimize harm (Respect 282-283).

One who respects nature might build a highway even though it infringes on the basic interests of millions of wild, teleological organisms: those who respect nature, and intend to minimize wrongs done to wild creatures, still choose to pursue ends "whose value is so great to them that they are unwilling to give them up" (Respect 287). Taylor assumes that human developments as wide-ranging as dams and art-museums are part and

parcel of “a community’s realization of a high level of civilization,” justified by our basic interest in maintaining ourselves as the type of beings that we are (Respect 282-283). Taylor argues that morally legitimate humans, humans who do not pursue nonbasic human interests that are “intrinsically incompatible with the attitude of respect for nature,” have a *right* to fulfil their basic interests because they are rights holders (P. Taylor, Respect 272-275). He specifically mentions our human *right* to freedom and autonomy.

By asserting that the *fulfillment of human rights is a basic interest*, and by indicating that these exclusive rights permit human beings to perpetuate current behaviours (as the type of animals that we are), Taylor effectively blocks the need for humans to make *any* changes or sacrifices. Instead, he opens the door for a justification of *any* action that is currently considered “normal” for our species, backed by our *exclusive human right* to freedom and autonomy. In this respect it seems that Taylor’s theory only requires that humans *intend* to minimize harm and demonstrate “respect for nature.”

Taylor asserts that an attitude of respect for nature is exemplified in one who avoids actions that “deny the inherent worth of wild things” (Respect 273-275). Developments such as building an art museum or landscaping a public park would necessarily destroy many wild entities. It therefore seems that these activities demonstrate a lack of respect for nature. Taylor’s permissible activities, activities that do not fulfil a basic interest, seem to reveal human bias. It is not likely that Taylor allow these same developments to infringe on the lives and lands of other *human* entities. Could we bulldoze over an urban community, with all the inhabitants in their homes, for the sake of an art museum or park, a timber plantation or highway? Taylor’s bias belies his own assertion of the equal inherent value of teleological entities.

Furthermore, Western ethics does not allow for nonbasic interests at the expense of basic interests, as Taylor permits for the sake of a new museum. For instance, suppose an enlightened group of scientists, with a great interest in examining religions and virgin peaks in Nepal, desired to climb Machhapuchhare, but those who live near Machhapuchhare believe this peak to be sacred, and object to anyone climbing this sacred peak. These enlightened scientists would ignore religious beliefs if they climbed the peak,

but their actions would not threaten lives, *yet even this comparatively minimal infringement is considered immoral by most Westerners*. To allow for the destruction of other entities for the purpose of landscaping or to construct a museum seems to reveal human bias.

The third reason Taylor seems to fall short of the expectations of his own theory is that he fails to make distinctions between different types of rights, and he fails to prioritize these rights in a manner that preserves the most fundamental rights over those that are less critical.

Western ethics does not permit one human to fulfil nonbasic interests such as our interest in freedom and autonomy to override more fundamental interests, such as our interest in staying alive. For example, religious sacrifices that require human deaths are morally inadmissible, in spite of an accepted and respected right to religious freedom. Contrary to Taylor's list of permissible yet environmentally destructive enterprises, Western ethics acknowledges that "enlightened" people that respect nature *cannot* morally do whatever seems of interest to them. The most basic human interest, that of preserving one's life, takes precedence over every other interest. Consistency requires that Taylor, if he is to assert equal inherent worth of all wild teleological entities, extend this protection to all other living entities—or revoke it from human beings:

We can no more consistently claim that all living beings are equal and yet aggress against the basic needs of some living beings whenever doing so serves our own nonbasic or luxury needs than we can consistently claim that all humans are equal and yet aggress against the basic needs of some humans whenever doing so serves our own nonbasic or luxury needs. (Sterba 199)

If Taylor is to honour his own assertion of inherent worth and interspecies equality, then consistency requires him to extend the protection of basic interests over non-basic interests, to other teleological entities. The human *right* to freedom and autonomy ought not to infringe on the *basic interests* in survival of all other species. As it stands, Taylor's

application of basic and nonbasic interests fails to demonstrate an attitude of equal inherent worth and of impartial application of ethical theory.

c. *expansion*: If Taylor is interested in minimizing harm, population restrictions seem a glaring omission in his theory. In the absence of population control, there is no ceiling on the damage that might be done to other species as a result of human expansion.

If we actualize zero population growth, no *additional* buildings, roads, or harbors will be necessary. Taylor's general acceptance of human encroachment into the habitat of other species, which would destroy the livelihoods and lives of myriad organisms, seems inimical to environmental ethics. Furthermore, if Taylor included population restrictions he might be less inclined to offer controversial concessions to human beings at the expense of other entities.

d. *elitism*: Taylor does not merely favour human beings, he favours *certain* human beings, as revealed in his list of "nonbasic" human interests that are immoral—acts that lack respect for nature.

Slaughtering elephants so the ivory of their tusks can be used to carve items for the tourist trade.

Killing rhinoceros so that their horns can be used as dagger handles.

Picking rare wildflowers, such as orchids and cactuses, for one's private collection.

Capturing tropical birds, for sale as caged pets.

Trapping and killing reptiles, such as snakes, crocodiles, alligators, and turtles, for their skins and shells to be used in making expensive shoes, handbags, and other "fashion" products.

Hunting and killing rare wild mammals, such as leopards and jaguars, for the luxury fur trade.

All hunting and fishing which is done as an enjoyable pastime (whether or not the animals killed are eaten), when such activities are not necessary to meet the basic interests of humans. This includes all sport hunting and recreational fishing. (Respect 274)

From this list of seven *nonbasic* interests, only two are conclusively "nonbasic." This list includes livelihoods that may seem ethically questionable to an environmentalist, but they are livelihoods all the same—*vital* for those so employed. Neither the

superfluousness of the final product, nor harm to the environment, negates the importance of the fur or ivory industry to those who earn their food and shelter in these businesses.

One may prefer the business of building art museums over and above the ivory trade, but both are vital to anyone who earns their livelihood in these ways. Strictly speaking, neither art museums nor ivory are necessary for human survival, but building an art museum might be considered *more* grievous simply because it creates a *new* institution. Failing to create jobs is less disruptive to the lives of others—less harmful—than thwarting extant livelihoods, such as the ivory trade. If Taylor is interested in minimizing the wrongs that we do, as he indicates, it is arguable that the ivory trade is less damaging than constructing a new art museum—which would kill millions of organisms. Taylor fails to explore these possibilities.

e. *competing claims*: Taylor's discussion of competing claims indicates that harmful or dangerous species ought be controlled or eliminated (Respect 257). Not only is a policy of controlling or killing "dangerous" entities environmentally unsound, it is impracticable.

However, if we were to control or destroy every entity that poses a threat to our health or survival, we would intrude on nature as never before. A multitude of "wild" entities are harmful in some ways, including bears, great cats, canines, mosquitoes, bacteria, tobacco, and other people. In fact, if we are to take Taylor's assertion to its logical extreme, as the philosophic tradition requires, human beings must be acknowledged as "dangerous organisms" according to Taylor's definition. Our activities frequently threaten the life and basic health of moral agents (Respect 265).

Even if we sidestep the problem of dealing impartially with dangerous humans, Taylor's assertion regarding "dangerous" organisms remains uncharacteristically anti-environmental. Is not the essence of an environmental ethic that we live peacefully with other entities—even those entities that threaten our existence? Do not environmental ethics illuminate "our obligation of letting beings be," regardless of which beings we might favour or fear? (Zimmerman 127).

Most of the time humans have little choice but to tolerate the myriad entities. Even when we *do* have a choice there is seldom reason to kill harmful entities. Only with the advent of modern, Western societies has it become commonplace for people to engage in massive campaigns to eliminate animals that threatened, or might threaten, our health and safety. But environmental ethics have long insisted that we look to older societies to gain insights as to how we might live more peacefully on the earth. Many societies live peacefully amongst “dangerous” animals, including the Dinka: “I have sat among a dozen Dinka men and women sprawled under one of their raised huts of boughs and thatch, and watched a tiny poisonous snake in the floor above us, weaving its way as confidently as a gecko. The little snake, an insect eater, was accepted; it was not outside the Dinka’s world” (Darling 118).

Life as an earthling entails living amidst myriad creatures. Some of these creatures are harmful to us. Taylor asserts that an attitude of respect for nature holds the virtues of benevolence and sympathy. If we respect nature, we are obliged to accept the whole—all the myriad creatures of the biocentric outlook that Taylor acknowledges as “integral” to the whole (P. Taylor, Respect 100), preferably with the grace of the Dinka people.

f. *rotation*: Taylor’s theory of respect for nature offers four methods of distributive justice, through which we might transform “situations of rivalry and competition into patterns of mutual accommodation and tolerance,” when the basic interests of humans and non-humans are in conflict (Respect 297). The last of these techniques, rotation, reveals Taylor’s humanocentric tendencies through his explanation of “sharing,” and examples of what constitutes a basic human interest.

Taylor’s application of rotation is weighted heavily toward the interests of humans. He refers to rotation as “taking turns.” “It is only fair” Taylor writes, “that humans and non-humans take turns at having access to favorable environments and habitats” (Respect 301). Through such time allocations humans and other species benefit from land areas at different times (Respect 301).

Taylor offers examples of rotation:

- restoring a closed mining site to natural habitat,

- vacating an area where scientists have been doing research and collecting specimens,
- removing temporary structures completely when they are no longer needed (and restoring a natural setting),
- tapping an emergency water supply only in times of drought, or
- legislating claming marshes as off-limits during specified periods of time (Respect 302).

These examples present two difficulties. First, Taylor's use of rotation offers humans extensively more than is offered any other species. He refers to rotation as "taking turns," but human beings *exclusively* take turns with *all other species collectively*. Furthermore, the sharing Taylor outlines only requires that we "share" with other species when we no longer need the area or resource.

If this method of "sharing" were employed amongst grade-school students, one student would "share" a toy with others by letting them collectively enjoy the toy, which she enjoyed exclusively at other times, only when she did not want to play. Few would consider this equitable—few would even refer to such a scheme as "sharing."

If each species were allotted the same amount of time as Taylor allows humans, his notion of rotation might be legitimately labelled as sharing. Alternatively, he could allot each individual—from every species—a certain amount of time

Second, none of Taylor's examples of human activity qualify as clearly motivated by *basic* interests, as he indicates. One could make an argument that claming is a basic interest, or mining, or collecting scientific data, or tapping an emergency water source—but each of these would, *in most instances*, constitute a nonbasic interest.

It is unlikely that eating clams constitutes a basic need (Refer to previous discussion under "diet"). If the eating of clam-bodies is to be accepted as a basic need, Taylor ought to provide an appropriate scenario to establish this fact. Otherwise this activity does not qualify, and ought to be considered inconsistent with ideals of respect for nature by Taylor's own definition.

Similarly, neither mining nor collecting scientific data necessarily fulfil basic interests; both require specific scenarios. With regard to emergency water sources, one would need to be assured that such a source was not being used to water lawns, wash cars, or for use in the "beef" industry—which in California alone uses enough water to maintain 27 million households (Stone 43).

Taylor might justify the inclusion of each of these examples as legitimate for the type of animals that we are. However, if taken to its logical extreme—as is the task of philosophic exploration—one might justify *any* human activity, including rape and murder, a fundamental for the type of animals that we are. The strength of Taylor's principle of distributive justice is harmed by special concessions that Taylor allows human beings.

g. the biocentric outlook: Taylor includes three basic ideas in the biocentric outlook: "...the conception of humans as members of the Earth's Community of Life; the view of nature as a system of interdependence of which we along with all other living things are integral parts; and our awareness of the reality of the lives of individual organisms seen as teleological centers of life" (Respect 153). The biocentric outlook is exemplary as a protectionist ideal, but Taylor seems to favor people in ways that thwart his assertions of interdependence and the equality of all teleological entities.

Key concepts in Taylor's presentation of the biocentric outlook suggest why he fails to realize the ideals entailed in the biocentric outlook. The third element of Taylor's biocentric outlook offers one of Taylor's most daring and promising assertions.

The first two ideas in Taylor's biocentric outlook present human beings as members of the "Earth's Community of Life," dependent for existence on the "biological system of nature" (P. Taylor, Respect 44). "The biocentric outlook recognizes a natural world where each species (including human beings) is an integral, interdependent element," and the welfare of each living thing is "determined not only by the physical conditions of its environment but also by its relations to other living things" (P. Taylor, Respect 100). Taylor asserts that people are an equal part of the biological community, existing on the same terms as each other living organism (P. Taylor, Respect 99).

Taylor offers an environmental vision where humans, and all other entities, are equal and dependent members of the earth's biological community, as perhaps best seen from outer-space:

...what strikes the imagination is the marvelous wholeness of the planet and the globe-spanning activities that connect and sustain its tenants. There is one great envelope of atmospheric gases, the vast body of ocean, the collusive currents of air and water, the broad belts of photosynthesizing vegetation, the complex of plants and micro-organisms that unite in pumping various elements in and out of the atmosphere, all on vast regional and worldwide scales. From space, everything that dominates the attention is unified and interconnected. (Stone 33-4)

Taylor's biocentric asserts that all entities are equal and interconnected. According to Taylor's description of an interconnected universe, what comes around will eventually go around. We earthlings are all made of the same organic matter, perpetually recycled in the same little cup of tea. We cannot gain at the expense of others without eventually suffering loss ourselves. In an interconnected universe, "if there is joy or sorrow to be had, it does not matter who has it" (Sprigge, "Metaphysics" 138).

Yet Taylor's words reveal an "us-and-them" attitude that belies an equal interconnected existence for all teleological beings. Taylor suggests that we "ask ourselves whether the human values being furthered are really worth the extreme cost being imposed on wild creatures" (Respect 290). His comment reveals a hidden assumption that people are somehow outside the biocentric loop, so that the costs are for *other* creatures, while human beings reap only benefits.

Many would argue that humans are not equal members of the earth's community because *we do* make life and death decisions with regard to other entities. But we are not unique in this role (though we are exceptional in the extent to which we affect other creatures). On a much smaller scale, hunters and grazers all make life and death decisions that affect other teleological entities based on whether or not they are hungry, and where they choose to feed. And of course many humans are incapable of making any decisions

for themselves, but we do not consider them to be less than equal. Therefore, consistency requires that we accept our equality with these other animals even though our decision can have a great affect on them, where as the reverse is seldom true.

Each species, and each individual, holds a particular place in the biosphere; neither moral deliberations, nor our most destructive actions toward other creatures, set us apart. Oxygen-producing plants are *critical* for the continued existence of the planet as we know it, yet no one suggests that these plants stand apart simply because other creatures depend on this particular species-specific biological activities.

Or, one might argue that, if all things *were* interconnected, nothing could survive the demise of one species. Dutch Elm disease would wipe out oak, and then all trees, all plants, all living entities (Curtin, "Making" 65). But the demise of an elm tree does not culminate in the termination of all life, so perhaps all life is not interconnected.

But this conclusion misrepresents the concept of earthly interconnections. No earthling is *directly* connected to every other living being. The continuation of life as we know it depends on *distant* connections as well as *direct* connections. Each aspect of nature and life on earth does not directly and immediately effect every other aspect. The process of growth and decay, consumption and birth, the turning of the seasons and the passing of generations, demonstrate both immediate and more distant biological interconnection.

It is possible that the nature of biological interconnections justifies "the need to use other species—even to kill other species—for survival... The interconnectedness of species in our ecosystem seems not so much to explain the inherent worth of all life as to emphasize the way all species can and often do use others as a means and compete for scarce resources" (Lombardi 261). Perhaps our biological interconnections are inherently selfish (Spitler 257-260). If so, how can we create a viable environmental ethic based on the concept of an interdependent earth?

Perhaps *because* interspecies relations are fundamentally exploitative, humans have a moral obligation to preserve ecosystems. "Because we depend on the biosphere for our very lives, we prudently should see to it for our own sake that it continues to function

adequately" (L. Johnson 265). When push comes to shove, we all "depend on the healthy functioning of the larger, biotic community" (McRipley 13). The earth's "biosphere is not just a theme park... but a very necessary thing for human survival" (Midgley, "A Problem" 63). Interdependence is both reason to respect other entities and reason to accept human exploitation—both of which Taylor allowed in his theory. Recognition of self as part of the larger whole leads one to realize that the welfare of the natural environment is synonymous with one's own welfare (Reitan 414-415). Selfishness may be unavoidable, but it need not hamper environmental ethics. Taylor's description of a biocentric outlook, entailing an interconnected earth, seems a viable concept.

Perhaps we cannot escape our tendency to favour humans because people can only see the world from our own point of view ("In Defense" 239). Maybe it is "inherently impossible" for human beings to apprehend the world in any other terms, since we view the world through human values and experiences—through an anthropocentric lens (Spitler 256).

However, Taylor indicates that a non-anthropocentric vision is possible—and essential—for one who respects nature. Taylor indicates, in the third element of his biocentric outlook, that we must abandon humanocentrism. The third element of Taylor's biocentric outlook requires that we have an "awareness of the reality of the lives of individual organisms seen as teleological centers of life" (Respect 153). Taylor suggests that we apprehend other beings from the reference point *of that other being*—from that entity's shared interest in "survival, health, and well-being" (Respect 124). In this way we can gain "the most complete realization, cognitively and imaginatively, of *what it is to be that particular individual*" (Respect 128). The biocentric outlook invites us to rediscover "the sheer mystery of other beings and the worlds they inhabit" (Linzey, After 130), to "let the reality of another's life enter the world of our own consciousness" (Respect 128).

Taylor writes that humans have a "deep kinship with all other living things... being, like them, integral parts of one great whole that encompasses the natural order of life on our planet" (Respect 154). This kinship makes it possible for us to envisage the

world from the eyes of other entities, and to see these others as morally considerable (Clark, "Animals" 122).

In our present ethic, our behaviour towards other living entities is often accepted or rejected based on our own interests. Currently, "our view of animals is not only anthropocentric, but so very limited as to be gastrocentric" (Linzey, After 122). Our attitude reveals "...a failure in empathy... which constitutes an irrational blindness to the fact of the basic sameness of suffering in whatever species of animal it occurs; an irrationality incompatible with clear thought" and with empathic understanding (Linzey, "Animal" 95).

The world around us does not consist of "resources" available for personal gain. Economics have proven a substandard guide of what we ought to do; "externalities" (harm to the environment, other people, other nations, and other species) "are not figured into economic equations. For instance, the 'value' of noncommercial species, are not captured by markets" (Stone 150):

What went uncalculated in court were all those features of nature that the market did not put a price on: the non-commercial waterfowl, the spiders and reeds... In fact, even commercially valuable fish and animals might go unaccounted for on the view that until someone had brought them under control, "captured them," they were no one's property; and until they had become some owner's property, there was no one with legal standing to complain about their fate. (Stone 177)

Many entities suffer while only a few human beings profit (Stone 28). Our current ethic represents a "...moral backwardness in the treatment of animals" that might best be "explained by the extreme difficulty human beings experience in apprehending animals as they are in themselves, independently of their relations to this or that concern of human beings" (McGinn 95). Taylor's assertion of an empathic vision acknowledges that the "worth of every creature does not lie in whether it is naturally pleasing to human species, whether it is beautiful (to us) or whether it serves or sustains our life and happiness" (Linzey, After 99).

Taylor's environmental ethic calls people to *fully apprehend* other creatures for what they are: conscious centers of their own existence—just like ourselves. Nature is a vital part of who we are; “human thought is in fact *intertwined* with nature” (Raglon 38). Taylor's notion of an empathic vision allows us to acknowledge other animals as the subject in a world in which we are merely objects. By visualizing the world from *their* eyes, we might glimpse “another version, in some respects very different, in others very much the same” as our own existence, and we might be able to respond to other creatures as “centres of consciousness with a life-world as real to them... as the life-world immediately inhabited by ourselves...” (Sprigge, “Metaphysics” 116, 127).

Empathy is a “form of knowledge” that can “supply a cognitive backing for acceptance of certain moral imperatives” (Sprigge, “Metaphysics” 3). Taylor invites people into the senses and minds of other entities, so that they might “reveal their value;” simultaneously we might have a chance to discover that value (Birch 328). Empathy allows us to see that we ought to treat other entities as ends in themselves, and foster an interest in meaningful encounters with these myriad fellow earthlings (Linzey, After 12). Change will happen only when

...the community, as a whole, has developed feelings towards animals which will simply make it impossible to staff slaughter houses. I question whether there is a psychological compatibility between a full grasp of the fact that an animal is the centre of a phenomenal world as vibrantly real to him or her as yours is to you and a readiness to have him or her slaughtered for your food, still less to do the slaughtering oneself. (Sprigge, “Metaphysics” 126)

In the absence of knowledge, understanding, and empathy for others, humans too easily overlook their suffering. If we become accustomed to seeing others mistreated, we often lose our empathy, the capacity to know other entities as they are, and our willingness to protect their interests (Sprigge, “Metaphysics” 112, 134). Our self-centered, self-serving approach to other living beings and the land, prevents us from knowing the myriad

earthlings as anything more than biological facts or economic potential (Linzey, *After* 11) rather than part of a community to which we all belong (Clark, "Animals" 24).

Yet it must be acknowledged that knowing another creature *from its own perspective* is not the norm in Western scholarship. It is simply not academic to apprehend other entities from their perspective, or to foster a fellowship between creatures that is not merely biological. Western academics have long held that "only economic or scientific arguments should be allowed in public discourse. Appeals to morality, religion and spirituality have no place and are seen as embarrassing or even worse as 'inappropriate'" (Jamieson, "Moral" 9). The same can be said of empathy and intuition. Taylor cannot maintain consistency if he advocates empathic, intuitive connections with other beings, while denouncing intuition as a method of ethical inquiry.

However, moral philosophy has often moved outside of traditional scholarly models. An "imaginative perception" is essential to ethics when assessing non-human animals (Ebenreck 5, 12). Imaginative perception is also necessary for apprehending other people as feeling, thinking entities much like ourselves. An empathic approach may seem scientifically suspect, but "there are metaphysical truths which are as relevant in reaching [moral] decisions... as are any scientific truths" (Sprigge, "Metaphysics" 135). Metaphysics reveals "the layering of reality," where what we see is only one of many layers, "others being the abstract, possible, perhaps even spiritual..." (Mathews 11). Perhaps Taylor's intuitive approach is more appropriate than the more typical detached rationality because we *are* like them in many ways that cannot be observed or measured (Telfer 76-77). Empathy may not offer a quotient that science can weigh on a scale to the nearest tenth, but empathy is critical to morality. Our inability to measure and standardize this quotient does not prevent empathy from directing human morality. In order to realize Taylor's expansive ethic of respect for nature we must move beyond concrete, assumed "truths" based on the apparent (empirical).

Though Taylor's presentation seems humanocentric, the biocentric outlook is sound. He indicates that we are equal members of an interdependent world, that if we begin from the standpoint of human reality when dealing with other entities we miss the

important point that there is “something about animal reality which makes certain human behavior towards it wrong” (Sprigge, “Metaphysics” 103). Similarly, to know people merely by observing behaviour or brain processes is to miss that essential something which is at our core—“something we can never hope to observe” but which we can only come to understand “by way of the empathic imagination. When we do so, we come to know the kind of truths about [an]other person which evokes the sense of moral obligations” (Sprigge, “Metaphysics” 115). If we are to respect nature, as Taylor indicates, we must move beyond our pragmatic, empirical approach to other entities (Polk 183, 185).

h. *human rights*: Humanocentric tendencies lie at the root of most of Taylor’s inconsistencies; his understanding of human rights forms the core of his tendency to favour human beings. Taylor’s exclusive allowance for human rights seems problematic on three counts: in two distinct ways he lacks clarity, and he is inconsistent.

Taylor rejects non-human animal rights because he believes that his environmental ethic accomplishes everything that rights would accomplish, without the use of this complicated and controversial concept:

I hold that, although it is not conceptually confused or logically absurd to ascribe moral rights in an extended sense to animals and plants, there are good reasons for not doing so. Everything which people hope to achieve by such an extension of the concept of rights can equally be accomplished by means of the ideas of respect for nature and the inherent worth of living things, along with the structure of thought that supports and makes intelligible a person’s taking the attitude of respect and regarding living things as possessing inherent worth. (Respect 225-226)

Here Taylor holds with philosophic norms by choosing the simplest, most straightforward theory—many philosophers agree that ascribing rights unnecessarily complicates a theory (Goodpaster, “On Being” 311). Yet three aspects of Taylor’s rejection of rights for non-humans concerns me.

First, he mentions but never explains how human rights that exclude non-humans can logically include insane and severely retarded humans. He extols the benefits of

maintaining the integrity of the traditional idea of human rights—based on certain mental capacities—and he admits that such a conception excludes certain humans, all plants and (most likely) all animals (Respect 225). Taylor explicitly rejects modified versions of human rights that would include these other beings. Although he fails to clarify his position, it seems that Taylor excepts the exclusion of certain human beings from bearing moral rights, along with other animals.

Second, Taylor asserts that an entity with rights must be a member of a community of moral agents (Respect 246). This leads me to wonder what the status of domestic animals might be. Domestic animals seem to qualify as members of our communities, and therefore might be protected by the same rights that protect humans:

Some non-human animals are members, though not citizens, of our immediate society, and have rights in law to our care and protection. They pay for these rights by the advantages we gain from them, and should certainly in natural justice be paid far more. Some advantages we cannot seek from them without violating their rights as members of our society. (Clark, "Rights" 185)

Domestic animals raise the possibility that Taylor's environmental ethic could rightly be extended only to "wild" entities, while *all domestic animals* (and possibly vegetation) *would be protected by moral rights*. If domestic animals and plants were protected by an extended circle of rights that apply to all those living in human societies, all such animals and plants would be protected *because* they are controlled and manipulated by human beings. This conclusion would seem unavoidable if Taylor includes human moral patients under the protective blanket of human rights.

The third and most important difficulty with Taylor's assertion of exclusively human moral rights is his assumption that moral rights for non-human entities are superfluous if people accept the biocentric outlook, hold an attitude of respect for nature, and follow the rules of conduct proper to such an attitude. In contrast, Taylor asserts that human rights are ours "by nature, not by convention" (Respect 241). "[A]ny being who is a person qualifies as a rights-holder just in virtue of her or his personhood," and these

rights are inalienable (Respect 241). Even though Taylor notes that there are “many thoughtful people who believe we have the right to die” (Respect 242), he maintains that rights lie *beyond* human contrivance and imagination. “A totalitarian power can deny us what we are entitled to, but it cannot take away our entitlement; we still have a legitimate claim to what we are being deprived of” (Respect 241). Taylor defines rights as a metaphysical reality beyond all human contrivance.

If human rights are ours in such a fundamental and enduring sense, why would such a foundational life-protecting essence *only* belong to one living species, when the core principle of all such rights is *the right to life*? Most philosophers agree that this type of distinction between humans and all other animals—that of being bearers of rights—is difficult to defend. (The end of chapter one includes these viewpoints.)

Taylor indicates that moral agents have certain obligations with regard to moral subjects. Taylor makes a distinction between entities that have no moral culpability or obligations, and the moral culpability and the obligations of moral agents toward such entities. Some individuals lack moral consciousness and have no duties to fulfil, but “it does not follow that there are none to be fulfilled toward them” (Kushner 153). Human infants and mental incompetents stand with non-human animals in this category. “*Holding of rights is not important*, what matters is that we fulfill our duties toward these beings *even though they cannot be holders of rights*” (Kushner 153).

Taylor argues that laws regulating moral obligations (and attitudes and outlooks behind such laws) are sufficient to protect the interests of non-human animals. If Taylor is right, given our tendency to be humanocentric, our pervasive attitudes of respect for the lives of persons, and the extensive legal system supporting respect for persons, *why do we need human rights*? Taylor offers no explanation.

Taylor’s position is inconsistent. He rejects duties as a replacement for *human* rights. He insists that rights are not “derived from or... equivalent to assertions about duties” because in such a case “the question of whether moral agents respect the rights of others becomes identical with the question of whether they live up to their duties” (“Inherent” 24). Rights, he insists are more than this.

This contradiction is highlighted by Taylor's overt comparison of human ethics with environmental ethics. He asserts that

- the biocentric outlook is analogous with the human understanding that all other humans are fundamentally like oneself;
- the attitude of respect for nature is analogous to the societal attitude of respect for persons;
- and the basic rules, such as nonmaleficence and noninterference, are analogous with fundamental human laws such as laws against murder.

Given Taylor's direct parallels, how can he logically assert that his environmental ethic can supplant animal and plant rights, while denying their efficacy as a replacement for human rights?

Taylor's theory demonstrates that respect for nature is not a replacement for moral rights. Taylor begins chapter six: "In this final chapter I consider the moral dilemmas that arise when human rights and values conflict with the good of non-humans" (*Respect* 256). Can the simple "good" of all other entities compete fairly with the multitude of comprehensive "rights and values" Taylor allows human animals?

Taylor's theory indicates that it cannot.

There is bound to be "tension between claiming that all living beings have equal inherent worth and only granting rights to humans" (Lombardi 257). Indeed, most of the difficulties of internal conflict in Taylor's theory stem from his tendency to favour human beings, most prominently displayed in his affirmation of human rights and concurrent dismissal of animal rights. Taylor "cannot bring himself to completely renounce... special respect for persons and sometimes speaks of 'both systems of ethics'—respect for persons and respect for nature—as if he were juggling two independent principles" (Callicott, "Case" 107).

Taylor's acceptance of rights exclusively for *Homo Sapiens* harms the internal consistency and protectionist qualities of his theory. His humanocentric bias—his commitment to *human* rights and human privilege—blinds him to inconsistencies in his theory. Most flagrantly, Taylor offers an environmental ethic to protect "wild" entities,

inclusive of the most civilized and “unnatural” of humans, yet excluding billions of domestic “pets,” “laboratory” animals, and “food” animals that live truncated, and often painful, lives. Taylor’s theory allows masses of teleological entities to live and die as profits for exploitative industries that degrade the land with a multitude of chemicals and tons of waste; Taylor protects these industries, rather than the lives of the individuals, by allowing people to maintain their integrity as the type of beings that we are—in this case, exploitative.

Taylor fails to fulfil his own standards for an ethical system; his humanocentric tendencies prevent him from applying his environmental principles disinterestedly.

i. *justification*: Though Taylor admits that his theory is difficult to realize, he asserts that his ideas, based on “equal inherent worth of every living thing,” demonstrate that “biotic egalitarianism... does not reduce to absurdity” but can be fruitfully implemented (Respect 306). Taylor’s work favours humans in ways that sometimes lead him to philosophic inconsistencies, but perhaps these special human privileges are intended to make his theory more palatable:

Taylor... guarantee[s] that we human beings... can go on living the lives to which we have grown accustomed. He tries to make things come out right—so that we can eat vegetables, build wooden houses, and generally get on with our human projects... —by means of an elaborate set of hedges enabling us consumptively to use our fellow entities within the limits of his extremely broad egalitarian theory. (Callicott “Case” 108)

Taylor’s tries to offer a more palatable theory by granting people more freedom and power. Taylor asserts that respect for nature, based on “equal inherent worth of every living thing,” demonstrates that “biotic egalitarianism... does not reduce to absurdity” but can be fruitfully implemented (Respect 306). There is value in presenting a moral theory that is appealing and applicable, one that seems to offer realistic answers to current problems.

Yet Taylor's human-centered sacrifices have proven inadequate. At least one of Taylor's readers concluded that "the clearest and most decisive refutation of the principle of respect for life is that one cannot *live* according to it, nor is there any indication in nature that we were intended to" (Goodpaster, "On Being" 324). Taylor's theory provides an example of a far-reaching protectionist theory with considerable concession to human beings, yet even with Taylor's rather extensive sacrifices to humankind, it is unlikely that very many people would be willing to enact Taylor's theory of Respect for Nature in daily life (Spitler 256).

Protectionist ethics ought not to bend to the preferences of the masses. People have too often treasured the freedom of human expansion, flourishing civilization, and increased profit at the expense of other living entities—even at the expense of less powerful human beings. In the United States, in the mid-eighteen hundreds, settlers were free to hunt Native Americans for sport and profit; those who brought in the head of a Native American were paid bounty-money by the federal government ("Ishi"). In the southern United States slave owners were free to profit economically from slaves whom they could sell or kill at their whim. Our interest in freedom and personal gain have sometimes had an appalling effect on other individuals—human and non-human. Power and freedom are much sought-after, but they are often not worth the price paid (Feinberg, Social 7).

All human beings are now protected in the United States, but no other species is protected. For instance, land developers in the United States continue to profit personally while black bear, white-tailed deer, crested caracara, aplodontia, rainbow trout, pocket mice, carrion beetles, and millions of other organisms are harmed. On balance, the myriad creatures suffer, while a handful of human beings prosper by maintaining a limited ethic, where lives can be traded in for personal profit (Nash 213). Just as moral theory was brought to bear on those who exploit Africans and natives for profit, if consistency requires that we do so, ethics must be brought to bear on those who profit from the lives of animals or their habitat. Catering to self-interest does not do justice to moral philosophy; ethics ought to be impartial and consistent.

Conclusion

Taylor's theory is both broader than most protectionist theories (including plants) and narrower (excluding animals and plants that are not "natural" or "wild"). It is not surprising, given the peculiarities of those included and excluded from his theory, that his work entails theoretical problems and inconsistencies. His biggest difficulty seems to be his tendency to make exceptions in his theory for the sake of human interests. None the less, Taylor's Respect for Nature offer a pragmatic and very interesting protectionist ethic.

V. APPLIED PROTECTIONISM

In the introduction I clarified my dissertation as a work dedicated to addressing the moral inconsistency surrounding our treatment of non-human animals, when compared with our treatment of human animals. I noted that my methods were based on consistency, involved idealism, worked across disciplines, and were rooted in applied philosophy. All of these elements come to the fore in this chapter.

This chapter is divided into two sections. Section A explores consistency across religious traditions in response to Andrew Linzey's work. Linzey addresses the current moral inconsistency in Western ethics through the Hebrew Bible and New Testament. He finds that the dominant religion of Western countries instructs against the cruelty that has resulted from a moral discrepancy in the West, a moral discrepancy that maintains a different moral standard for human beings as opposed to all other animals.

Section A moves between the schools of philosophy and theology to highlight the consistent protectionist qualities of faith traditions. While these are often ideal rather than actual practices, I present the moral ideal philosophers and theologians seek, as indicated in the introduction.

Section A of this chapter presents a spiritual protectionist ethic without emphasizing any single religious tradition, and without regard to the actual practices of peoples of each faith. My intent is to demonstrate a consistent tendency toward protectionist ethics that runs through sacred writings and oral wisdom of spiritual traditions. Those who are not Christian, or in fact have no religious affiliation, are less apt to discount the importance of an ethical vision that extends beyond Western faiths, to emerge in text and myth across many centuries and civilizations.

Section B is an exploration of applied philosophy, whereby consistency and impartiality are fundamental. Through the use of these basic philosophical tools, I seek an

ideal expression of current Western morality between people, by applying this ethic in all cases that are similar in morally relevant ways *to all entities that have interests*. Once I have established a theory based on this ideal ethic, I apply it to contemporary ethical issues and lifeboat scenarios, using casuistry, and always with a primary focus on consistency and impartiality.

Section B presents and applies a theory based on accepted contemporary Western morality that determines actions amongst human beings. In most instances, this ethic places supreme value on human life. In the absence of any morally relevant distinction between all human beings and all other life forms, this section explores a consistent, impartial application of current Western ethics that extends moral considerability to *all* life forms.

This is not a presentation of my person theory, nor is it offered with the expectation that anyone can or should employ such an ethical system. Section B is a study in consistent application of moral theory, an examination of current Western morality with regard to human life as opposed to other living entities, and the flagrant discrepancy that lies between the two.

A. *Consistency in the Spiritual Vision.*

If one is inclined to respect spiritual wisdom, whether or not one is religious, the consistency of ethical teachings across traditions and down through the ages carries tremendous weight. Religious teachings offer protectionist outlooks in a multitude of faiths, and have done so for at least half-a-dozen millennia across the continents.

1. *Vedic/Hindu Tradition.*

The Hindu religious tradition emerged from the Vedic tradition, which appeared in India around 1500 BCE.

Roughly five thousand years ago, Indian beliefs were rooted in nature; most deities were personified powers of nature (Wolpert 32-34). Dawn, storms, vegetation, and fire were honoured as divine in ancient hymns (Embree, Hindu 9-20). By the time Socrates was born the people of India had a thousand years of spiritual wisdom accumulated,

including the Upanishads, one of the most important philosophical, sacred works of Hinduism.

The Upanishads contain such protectionist concepts as “oneness” (“Chandogya” Upanishad). The Upanishads teach that all things are no different than the One that lies behind all (Zaehner 7). No element of earth is distinct from any other—each human shares the essence of every other earthly element as well as the essence of Brahman, which is behind and within ourselves and all that we see on earth (Embree, Sources 30). “This Great Being... dwells in the heart of all creatures as their innermost Self. ...His hands and feet are everywhere; his eyes and mouths are everywhere. His ears are everywhere. He pervades everything in the universe” (“Svetasvatara” Upanishad):

O Brahman Supreme!

Formless art thou, and yet...

Thou bringest forth many forms...

Thou art the fire,

Thou art the sun,

Thou art the air...

Thou art Brahman Supreme:

...Thou art the dark butterfly,

Thou art the green parrot with red eyes,

Thou art the thunder cloud, the seasons, the seas. (“Svetasvatara” Upanishad)

In India, the inner essence of each living being is personally related to every other being, which leaves no room for cruelty or exploitation.

Evidence from the earliest known Indian civilization indicates that animals had religious significance (Embree, Sources, 4). Recent excavations unearthed images of bulls, unicorns, tigers, and other animals (Wolpert 17).

Animals play important roles in ancient sacred literature. Some animal characters are noble and heroic, others are lowly and evil—just like the human characters. Hindu mythology teaches that animals and humans were once closer, and could communicate on equal terms. Evidence of this appears in the famous epic, the Ramayana, where monkeys help the hero, Rama, an incarnation of an important deity (Basham 80-81).

Animals can also be divinities; Hindu religious texts are filled with stories of divinities *as animals* (Embree, Hindu 210-211). Gods in Hindu literature are reincarnated in non-human animal form, or as a mix of human and non-human animal. Vishnu, one of the most popular Hindu deities, is depicted as a fish, tortoise, boar, and man-lion (Danielou 165).

Hindu deities are associated with a particular non-human animal. For instance, Shiva rides on his trusty bull, Nandi, the giver of life, associated with the lofty principles of justice and virtue (Danielou 220). Ganesha keeps company with a rat that controls all that is hidden inside, including the soul or *atman* (Danielou 296). Vishnu is associated with the garuda, a mythical bird (half vulture, half man) that represents the magical sounds of the sacred scripture, and transports people from one world to another (Danielou 160).

The Indian philosophy of reincarnation perpetuates and strengthens our link with every other living entity. Any given animal, at some point in the incalculable depths of time, was reincarnated as our mother, brother, or best friend. Consequently, Hindus have been a largely vegetarian society for many centuries. “The wanton killing of animals is little better than murder, and meat eating is little better than cannibalism” (Basham 58).

Indian philosophy teaches that reincarnation, and the condition of one’s next life, is based on *karma*, which is determined by one’s actions (Embree, Hindu 62-65). The “pain a human being causes other living beings... will have to be suffered by that human being later, either in this life or in a later rebirth” (Jacobsen 289). For Hindus all beings are “in moral relationship to human beings. We are defined morally by our conduct toward nature” (Curtin, “Making” 71). Those hoping for a relatively pain-free future existence must avoid even the accidental killing of other entities (Basham 59). No human being can discount the needs of other creatures, our fate is determined by how we behave toward

these myriad “others.”

The Hindu worldview leads naturally to the teaching of *ahimsa*, an injunction of “non-injury toward all living beings” (Jacobsen 287). In the Hindu tradition, the common Christian precept to ‘Love thy neighbour as thyself,’ is enhanced so that “every living being is thy neighbor” (Kushner 148).

Early Western visitors in India were perplexed and sometimes frustrated by the expansive Indian ethic, especially *ahimsa*. Westerners marveled at how religious philosophy regulated Hindu behaviour towards nature (Jacobsen 288). One visitor noted:

Pesticides spell killing,... small and perhaps invisible insects... This killing is anathema [for Hindus]... By nature, the [Indian] agriculturist is generous, wanting to bestow on others what he reaps out of Mother Earth. He [sic] does not think that he alone should enjoy the fruits of his labor... to kill those unseen and unknown lives ...is foreign to his nature... It takes some time for [them] ...to get acclimatized to the very conception of killing tiny helpless and unarmed creatures. (Curtin “Making” 71, from Journal of the Indian Pesticide Industry)

It fascinated visitors that even the lives of insects—insects that reduce crop yield—mattered.

Perhaps the most striking aspect of Hindu ideology is the gentle reverence for cattle—a creature Westerners have long disparaged as stupid and expendable. Cattle are treated with respect in India. Cows symbolize munificence because of their life-sustaining milk. One Vedic hymn, written sometime before 1000 BCE in honour of cows, identifies the cow with the entire universe (Embree, Hindu 39-40).

Vedic nature-deities have left an indelible mark on the Hindu tradition—nature remains sacred. Indian sacred literature regards the “earth [as] a fitting symbol for the deepest of religious impulses” (Embree, Hindu 45), and spiritual seekers retreat to the wilderness to gain spiritual wisdom (Marshall 25). One class of books is called the “forest books,” and holds important religious wisdom accumulated during spiritual retreats into the wilderness (Embree, Sources 29).

Pilgrimages to mountains and rivers remain a common practice in India (Eck 65). Rivers are especially important in the Hindu tradition because they are viewed as passageways, or *thirta*, to the divine (Eck 64). “In India today... pilgrimage is as popular and important as a religious and cultural phenomenon as it was in the height of the Middle ages in Europe. The organization of pilgrim tours is a thriving business...” (Eck 64). Pilgrimages to rivers and mountains are just one manifestation of Hindu religious respect for the natural world.

2. *Buddhism.*

Buddhism emerged on the outskirts of the Hindu world in the sixth century BCE, during the Upanishadic Era. As a result, Buddhist philosophy is closely related in fundamental ideas and values to the Upanishadic Hindu tradition (Embree, Hindu 132).

Buddhism inherited key concepts from the dominant Hindu tradition, such as reincarnation, *ahimsa*, and oneness. The words of the Buddhist monk Thich Nhat Hanh, reveal these fundamental Indian concepts: “I am one with the wonderful pattern of life which radiates out in all directions. ... I am the frog swimming in the pond and I am also the snake who needs the body of the frog to nourish its own body. ... I am the forest which is being cut down. I am the rivers and air which are being polluted” (Allendorf 43-44). Thich Nhat Hanh writes of the interconnectedness of all life, and encourages people to apply this to their daily lives.

“A human being is an animal, a part of nature. But we single ourselves out from the rest of nature. We classify other animals and living beings as nature, as if we ourselves are not part of it. Then we pose the question, ‘How should I deal with Nature?’ We should deal with nature the way we deal with ourselves! ...Harming nature is harming ourselves, and vice versa.” (Hanh 41)

Buddhism also absorbed the tendency to associate wild places with spiritual wealth. Buddhists wishing to gain spiritual wisdom usually lived simple lives far from population centers. The famous Buddhist philosopher Nagasena instructed King

Menandros:

Trees do not show disdain, and they demand no toilsome wooing;

Fain would I now consort with them as my companions.

Fain would I dwell in a deserted sanctuary, beneath a tree, or in a cave...

Fain would I dwell in spacious regions owned by no one,

And there, a homeless wanderer, follow my own mind. (Conze 102)

Buddhism inherited the Vedic/Hindu religious respect for nature but Buddhism also developed its own nature-friendly philosophy. "Codependent arising," a key concept in Buddhist philosophy, teaches radical interdependence. "Codependent arising" asserts that no individual or action can be separated from any other individual or action (Robinson 23-29). Buddhist radical interdependence does not allow for independent being, action, word, or thought because all things influence one another. Therefore, because each thing is important to every other thing, all things *are* one another *in their very essence*. In the words of a contemporary Thai Buddhist monk: "The entire cosmos is a cooperative. The sun, the moon and the stars live together as a cooperative. The same is true for humans and animals, trees and the Earth. ...the world is a mutual, interdependent, cooperative enterprise" (Swearer 5). Without the sun we could not live *as we currently live*. Neither could we live *as we now live* if a small flea is knocked from the side of a kitten in Malaysia. *All* is changed by the slightest occurrence; the ripple effect of each event is unending and all-encompassing, no matter how small the event, because all things are interconnected.

When Buddhism traveled to China, it combined with Taoism to form one of the most nature-friendly extant religions. (These religious traditions are covered in the next section on Taoism. This section only discusses relevant Chinese schools of Buddhism.) Hua-yen, a Chinese school of Buddhism founded around 600 AD, carried "codependent arising" to its logical extreme. In the Hua-yen worldview all things are reflected in all other things, as in an infinitely regressing mirror that encompasses the entire universe in

“simultaneous *mutual identity* and *mutual intercausality*” (Cook 214). Nothing is independent in this “vast web of interdependencies in which if one strand is disturbed, the whole web is shaken” (Cook 213). Cruelty and exploitation are counterproductive if one believes that harming one entity harms all that exists, including oneself.

Also in China, the influential T’ien T’ai school of Buddhism taught that all things are contained in one moment and one moment contains all things. This combination of one-point and universal culminated in the teachings of “Buddha-Nature” (deBary 156-157). “Buddha-Nature” is the inherent perfection of each thing *as it naturally is*. All things have “Buddha-Nature,” and to acknowledge this quality in all things is to realize that all things are perfect *in their essence*. The spiritual seeker comes to understand that all things have inherent value, and that one can learn from every aspect of the physical world.

When Chinese Buddhism traveled to Japan the protectionist propensity of “Buddha-Nature” reached a peak. The great Japanese Buddhist philosopher Dogen (1200-1253) taught that the splendors of nature hold the essence of enlightenment (Curtin, “Dogen” 198), and that spiritual ideas themselves are “the entire universe, mountains and rivers, and the great wide earth, plants and trees” (Swearer 15).

Buddhist philosophers simultaneously elevated nature and effaced the individual Buddhist practitioner. The philosophy inherited from the Hindu tradition—reincarnation, oneness, interdependence, and the inevitability of constant change between birth and death—led philosophers to conclude that there really is no independent “self” (Robinson 38). Buddhist philosophers taught that human existence *as individuals* is a mirage. We are only matter in human form, soon to be disbanded and reformed according to our actions in past lives. “It is not just that ‘we are all in it’ together. We all *are* it, rising and falling as one living body” (Cook 229). The Buddhist tradition elevated the entire physical world through the teachings of inherent “Buddha-Nature,” while simultaneously deflating human pride by asserting that there is no individual self.

Hindu *ahimsa* is reflected in Buddhist *metta* (lovingkindness) and *karuna* (compassion). The Buddha’s teachings with regard to ethical conduct are “built on the

vast conception of universal love and compassion for all living beings” (Rahula 46). Compassion is a “feeling that suffers all the agonies and torments” of every sentient creature, and an understanding that harm done to others is harm done to oneself (Kushner 148f). The Buddha instructed followers to exhibit “an unlimited self-giving compassion flowing freely toward all creatures that live” (Burt 46). Compassion is “one of the indispensable conditions for deliverance” (Kushner 148f); the Dalai Lama has often stated that lovingkindness *is* his religion (Gyatso 8). The Buddhist Sutta-Nipata includes the following, often translated as the hymn of love:

... may all
 be blessed with peace always;
 all creatures weak or strong,
 all creatures great and small;

 creatures unseen or seen
 dwelling afar or near,
 born or awaiting birth,
 —may all be blessed with peace!

... as with her own life
 a mother shields from hurt
 her own, her only, child, —
 let all-embracing thoughts
 for all that lives be thine,

 —an all-embracing love
 for all the universe... (Burt 46-47)

Buddhists are expected to apply ethical philosophy to everyday life. According to

sacred teachings, a Buddhist ought to live mindfully—with an awareness of the likely effects of each and every action. Adherents are to “abstain from destroying life,” including livelihoods that entail killing animals (Rahula 47). The first, and most fundamental of the precepts is “to refrain from killing living beings, meaning all sorts of animals” (Robinson 77). A Buddhist injunction states that, “meat-eating in any form or manner and in any circumstances is prohibited, unconditionally and once and for all” (deBary 91-92).

Bodhisattvas, compassionate spiritual beings of the Mahayana Buddhist tradition, strive to save *all* creatures (deBary 81-82). The Bodhisattva “is committed to the eternal weal of all living beings, and will not rest until he has led them all to the goal. On attaining enlightenment, he does not leave the world behind and enter Nirvana... but devot[es] his compassionate skill to the aid of others. He shares and bears the burden of their sufferings, in loving union” (Burt 130). Mahayana Buddhists vow to return to the earth, rather than disappear into nirvana, until every individual of every species is saved from the suffering of rebirth (deBary 81).

...a Bodhisattva should think in this manner: ‘As many beings as there are in the universe of beings, comprehended under the term “beings”—egg-born, born from a womb, moisture-born, or miraculously born; with or without form; with perception, without perception, or with neither perception nor no-perception—as far as any conceivable form of beings is conceived: all these I must lead to Nirvana. (Conze 164)

The Buddhist Jataka is filled with animal tales. Jataka stories tell of the Buddha’s past incarnations, featuring non-human animals of every kind, and sometimes humans. In this menagerie of stories, the Buddha appears in such diverse forms as a deer, a parrot, a dog, a rabbit, a lion, a quail, a monkey, a horse—and many more (Khan). Each animal, whether human or otherwise, exhibits “compassionate and often heroic self-giving” (Martin 97). Each character represents a future life of the Buddha, and demonstrates self-sacrificing generosity “for the benefit of all living beings” (Martin 98).

Jataka tales remind us that the Buddha has been in many, many animal forms, and

that each living entity is capable of respect and compassion toward other living beings. For a practicing Buddhist, no creature lies outside the Buddhist spiritual path (Martin 99). The Jataka reveals "the essence of the Buddhist attitude brought to life—the attitude of universal compassion... flowing from the knowledge of inner oneness" (Martin 98). Those who read the stories of the Jataka are offered a deeper, closer connection with other life forms, a "sense that animals have their own lives, their own karma, tests, purposes, and aspirations. And, as often brief and painful as their lives may be, they are also graced with a purity and a clarity which we can only humbly respect, and perhaps even occasionally envy" (Martin 100).

Was not the Buddha a hare? a quail? a monkey, a lion, a deer or ox? Who is to say that the dog guarding our porch or the cat twining around our legs is not a Bodhisattva...? Entering the market one sees live rabbits and chickens and turkeys for sale. And one wonders, "Why are they here?" and is torn. "Should I buy them all? How can I save them?" For in the Jatakas one has seen that their inner life is the same as our own. One seeks to save them all, and they too, looking out at us with black or with golden shining eyes, yearn only to liberate us. (Martin 100).

One tale of the early lives of the Buddha reveals him as the Bodhisattva prince, Mahasattva. Prince Mahasattva finds a hungry tigress that is too starved to hunt for her offspring. She and her little ones are on the edge of death, and the Bodhisattva comments, "Holy men are born of pity and compassion." Prince Mahasattva offers his own body that the tigress and her young might live (Conze 24-26). The importance of compassion is emphasized because readers know that Prince Mahasattva is eventually reincarnated (due to good karma) as Sidhartha Gotama—the Buddha. Buddhist teachings encourage aspirants to follow the compassionate path of the Buddha.

3. *Taoism.*

Although people from China and Japan are frequently criticized for their actions with regard to non-human animals, the Chinese spiritual traditions are rich with protectionist teachings, especially the Taoist and Buddhist traditions, the Philosophy of

Change, and Yin Yang Philosophy. This section discusses the Taoist tradition.

The Taoist tradition teaches *wu wei*, often translated as non-striving, acting without acting, or "nonaction." *Wu wei* instructs that we live "in accordance with nature" (Po-Keung, "Taoism" 334). Any work that humans do should not go against the grain of nature, but should be harmonious with nature (Marshall 19). Lao Tzu wrote, "Tao invariably takes no action, and yet there is nothing left undone" (Tao #37). The Taoist master Lao Tzu wrote: "...the sage desires to have no desire. / He does not value rare treasures. / He learns to be unlearned, and returns to what the multitude has missed (Tao). / Thus he supports all things in their natural state but does not take any action" (Tao #64).

In Taoist philosophy the natural state is the ideal state, and adherents are discouraged from striving or grasping at material wealth and encouraged to live gently on the earth.

Nature says few words.

For the same reason a whirlwind does not last a whole morning,

Nor does a rainstorm last a whole day.

What causes them? It is Heaven and Earth (Nature). If even Heaven and Earth cannot make
them last long,

How much less can man? (Tao #23)

Taoist sacred writings discourage meddling with nature or other animals. In the Tao-te Ching, Lao Tzu wrote that "Racing and hunting cause one's mind to be mad" (#12), and that "Fish should not be taken away from the water" (#36). The great Taoist mystic, Chuang Tzu, wrote:

"What do you mean by Nature and what do you mean by man?"

The spirit of the North Sea replied, "A horse or a cow has four feet. That is Nature. Put a halter around the horse's head and put a string through the cow's nose, that is man. Therefore it is said,

“Do not let man destroy Nature.” (Chan 207)

Technological developments are not value-free in Taoist spiritual writings. Technology may appear to be time-saving, but it can create artificial desires that ultimately block far more important advances, such as one's spiritual progress (Marshall 18). Consequently, Lao Tzu taught that “A small country has fewer people. Though there are machines that can work ten to a hundred times faster than man, they are not needed” (Tao). Instead, Taoist writings encourage people to live in small communities and work the land gently. Letting nature be natural, and living simply, are the highest Taoist ideals: “Manifest plainness, / Embrace simplicity, / Reduce selfishness, / Have few desires” (Tao #19).

In ancient China it was believed that imbalance, particularly human domination and rigid hierarchy, were the cause of natural disasters. They reached this conclusion by extrapolating. Because the excessive wealth of a few contributed to the misery of the masses it was assumed that other undesirable effects from human greed might also be expected, even in the natural world (Marshall 20). Because the Taoists did not see human beings and their actions as separate from the rest of the world, they believed that human greed and cruelty could bring on natural disasters.

Taoist philosophy represents all things as part of one great fluctuating whole. Taoists are encouraged to strive for tranquillity and harmony, to regard nature, and what is natural, as ideal:

Attain complete vacuity,

Maintain steadfast quietude.

All things come into being,

And I see thereby their return...

This return to its root means tranquillity...

To return to destiny is called the eternal (Tao).

...Being one with Nature he is in accord with Tao. (Tao #16)

As in the Buddhist teachings, constant change is accepted as fundamental to existence. The perpetual transformations of nature bind each individual to all other things (Chan 177). The Taoist mystic, Chuang Tzu, wrote, "The universe and I exist together, and all things and I are one" (Chan 186), and "Although the universe is vast, its transformation is uniform. Although the myriad things are many their order is one" (Chan 204).

Chuang Tzu's importance in Taoist philosophy is second only to that of Lao Tzu. His vision of interconnectedness and unity were not limited to humans, or even to other animals. He views the human body as bits and pieces of everything else. He understood death and decay as a mixing of matter. He writes his philosophy in a story about a friend on his deathbed receiving a visitor:

'Go away' he said, 'Don't disturb the transformation that is about to take place.' Then, leaning against the door, he continued, 'Great is the Creator! What will he make of you now? Where will he take you? Will he make you into a rat's liver? Will he make you into an insect's leg?' (Chan 197)

Chuang Tzu taught that, "Left to their own devices, human beings and animals would form harmonious natural communities" (Mair, Wandering 80). He instructed that training an animal is inherently harmful and cruel; human interference in the lives of horses turns happy equines into "brigands" (Mair, Wandering 82). Even when we imagine that we improve the lives of other animals, Chuang Tzu asserted that interference is harmful. "The marsh pheasant has to take ten steps before it finds something to pick at and has to take a hundred steps before it gets a drink. But the pheasant would prefer not to be raised in a cage where, though you treat it like a king, its spirit would not thrive" (Mair, Wandering 27). If we were to leave other animals alone, as we ought to, we would live in a golden age of "ultimate integrity."

In such an age there would be no paths and tunnels through the mountains, no boats or bridges to

cross the swamps. The myriad things would live in groups, their settlements lined up next to each other. Birds and beasts would form groups, the grasses and tress would thrive. Thus birds and beasts could be tamed but still wander about; one could climb up to the nests of magpies and peep in without disturbing them.

In a world of ultimate integrity, men would dwell together with the birds and beasts. They would come together in tribes with the myriad things. (Mair, Wandering 81)

Taoism found commonality in Buddhism. Chinese Buddhism developed an extraordinarily nature-friendly religious philosophy. As in India, Chinese spiritual practitioners (Buddhist and Taoist) commonly lived far from civilization (Thompson 81, 107). In both countries, spiritually advanced humans often lived close to nature: “From my favorite place in the Chung-nan Mountains, / The chanting of monks emerges into the dark sky. / Groves of trees stand out clearly in the somber solitude, / Thin mist floats in the desolate void” (Mair, Columbia 241).

In Chinese Buddhism, spiritual wisdom became associated with those who lived close to nature. For many Chinese Buddhists and Taoists, nature is understood not only as the appropriate place to seek spiritual growth and enlightenment, but also as a medium through which the highest spiritual truths might be learned. In the following Chinese Buddhist poem aspects of nature create a metaphor for the spiritual path:

I climb up the Way to Cold Mountain,
 But the Cold Mountain road is endless:
 Long valleys of boulders stacked stone upon stone,
 Broad streams thick with dense undergrowth.
 The mosses are slippery, though there's been no rain;
 Pines cry out, but it's not the wind.
 Who can get beyond worldly attachments
 And sit with me among the white clouds? (Sommer 167)

4. *Islam.*

The Islam is a sister religion to the Judeo-Christian tradition. "Islam accepts, and incorporates into itself, all antecedent prophets of Abrahamic lineage, up to and including Jesus and Mary" (Stoddart 34). Therefore, much of what Linzey asserts regarding Christianity is also true of Islam.

Islamic sacred writings allow for human exploitation of nature and other animals, but as with the Christian tradition, there are many nature and animal-friendly messages to be found.

Islam inherited the Judeo-Christian hierarchy wherein a benevolent, all-powerful creator rules, with people placed "in dominion on the earth..." (Qur'an 7:10). "Man" is placed at the top of the hierarchy but people are given incumbent responsibilities: "Man, because of his theomorphic makeup, [is] ecologically dominant, but [is] an instrument of Allah's Will to whom everything belongs" (Zaid 46-47). "Muslims are fond of declaring that 'humankind has no rights, only duties.' ...the only proper relationship between people and God is that of slaves to master" (Denny 8).

Yet all of creation is worthy of our care. The universe is "the personal creation of God. Since his work is faultless, it is considered perfect" (Marshall 128). As in Christianity, all that exists has come from, and belongs exclusively to, the Divine; it is here only by the power of Allah. The Earth and each living thing upon the earth, is Allah's.

Allah is the "Lord of All creatures" (Qur'an 69:28-52). The earth reveals God's tenderness and mercy toward all of creation: "There are signs, too—for those with a mind to understand—in the alternation of night and day, and in the gracious rain God sends from heaven to renew the face of the parched earth, and in the veering of the winds" (Qur'an 45:1-6). If God tends every parched prairie, who are we to despoil the earth? The Almighty beseeches his followers to demonstrate patience and mercy (Qur'an 90:18-19); "Allah desires no injustice to His creatures" (Qur'an 3:105-110).

Nature yields precious knowledge of Allah. The Hadith ("tradition"), the most authoritative Muslim teaching after the Qur'an, records the life and words of the prophet with intent to perpetuate his way of life (Smith 403). The Hadith qudsi states: "I was a

Hidden Treasure, and I wished to be known, so I created the world” (Stoddart 80). Creation is a window through which we might glimpse Allah. “The forms and the creatures have a purpose” because they make Allah known to us (Mathnawi IV, 3028). “Surely in the heavens and the earth there are signs for the faithful; in your own creation, and in the beasts that are scattered far and near, signs for true believers... signs for men of understanding” (Qur’an 45:1-8). All of nature is a vision of Divine splendor, and it is the duty of the faithful to protect and tend Allah’s munificence. “Whichever way you turn there is the face of Allah” (Qur’an 2:115).

Tending Allah’s creation is an act of religious devotion and earthly self-sacrifice that bears sweet fruit. When a Muslim “absents himself from the world for God, God makes himself present in the world for man” (Schuon 57). By tending the world for Allah people come to see the world as part of the Divine, and they find “something of God” in the natural world (Schuon 57). Hearts that are open to Allah will find the divine in the leaf of every aspen and the song of every katydid.

People are but earthly attendants of the Divine Creation. As a result, there is a tendency to belittle human beings in the Qur’an—in light of Allah and the totality of creation humans are insignificant (Schuon 21). We are part of God’s bountiful creation; we are creatures like all other animals. Two-legged humans were formed alongside other animals. “Allah created every beast from water. Some creep upon their bellies, others walk on two legs, and others on four. Each created entity was purposefully designed and brought to life by Allah. The Qur’an acknowledges our commonality with living entities that Allah created: “All the beasts that roam the earth and all the birds that wing their flight are communities like your own...” (Qur’an 6:37-42). We are part of the earthly diversity that Allah intended: “Men, beasts, and cattle have their different colors” (Qur’an 35:27-30).

Like most faiths, Islam teaches that the gains of this world are paltry in comparison with those that lie ahead. “Worldly goods are but a temptation” (Qur’an 8:25-31). “Worldly cleverness and accomplishments and wealth endanger a man’s spiritual life” (Whinfield 228). Faithful Muslims are to tend rather than exploit, to assist rather than

dominate.

While there are passages in the sacred writings of Islam that condone flesh-eating, others parallel the Hebrew Bible, calling for a vegan diet:

We have spread out the earth and set upon it immovable mountains. We have planted it with every seasonable fruit, thus providing sustenance for man and beast. We hold the store of every blessing and send it down in appropriate measure. We let loose the fertilizing winds and bring down water from the sky for you to drink; its stores are beyond your reach. (Qur'an 15:9-32)

Vegan bounty was provided for all of creation. Allah "laid the earth for all living creatures, with its fruits its palm-trees and their fruiting dates, the grain in the blade and herbs of fragrance" (Qur'an 55:1-17).

As in the Christian scriptures, we are not the only part of creation that adores the Almighty. Each object "casts its shadow right and left, prostrating itself" before Allah; to Allah "bow all the creatures of the heavens and the earth" (Qur'an 16:48-56). Though we may not see the devotion of the smallest mouse-tailed bat, the silent cottongrass, or the most obstreperous wolverine, the Qur'an indicates that every part of creation stands in praise of Allah. "The sun and the moon and the stars, the mountains and the trees, the beasts, and countless men—all prostrate themselves before Him" (Qur'an 22:18). "The seven heavens and the earth and all that is therein praise Him, and there is not a thing but hymneth His praise; but ye understand not their praise" (Qur'an, "Children of Israel" 44). Nothing on earth is detached from the Divine: "All in the heavens and the earth gives praise to God" (Qur'an 61:1).

This "song of praise" carried out by all the earth "binds the whole of creation to the Creator" (Stoddart 62). Allah receives each entity's praise, and is aware of each entity's folly and hardship: "Do you not see how Allah is praised by those in heaven and earth? The very birds praise Him as they wing their flight. He notes the prayers and praises of all His creatures, and has knowledge of all their actions" (Qur'an 24:36-43).

As in the Christian tradition, all creatures join humankind in the judgment and

resurrection. "There is none in the heavens or on earth but shall return to Him in utter submission. He has kept strict count of all His creatures, and one by one they shall approach Him on the Day of Resurrection" (Qur'an 19:88-98). Allah is aware of every tumblebug *and* our actions *toward* every tumblebug: "He observes all things" (Qur'an 67:16-24). For Allah has created each entity, and "They shall all be gathered before their Lord" (Qur'an 6:37-42). All that we do is known and considered by Allah; we will be held accountable. "To Allah belongs the kingdom of the heavens and the earth. To Him shall all things return" (Qur'an 24:36-43).

Allah is righteous, compassionate, and has created the earth for "just purposes" (Denny 8). "Allah controls the destiny of every living entity," and attends to the needs of the entire earthly multitude (Qur'an 11:56). "Countless are the beasts that cannot fend for themselves. Allah provides for them, as He provides for you. He alone hears all and knows all" (Qur'an 29:56-62). Allah cares for the myriad creatures, and draws them back at the end of their time on earth: "To Him shall all things return" (Qur'an 3:105-110). The Qur'an refer to Allah as the "merciful lord of mercy" (Qur'an 59:22).

Yea, all the fish in the seas,

And all feathered fowl in the air above,

All elephants, wolves, and lions of the forest,

All dragons and snakes, and even little ants,

Yea, even air, water, earth, and fire,

Draw their sustenance from Him... (Whinfield 188)

Damaging the earth is disrespectful and disobedient toward Allah. "To Him belongs all that is, in the heavens and in the earth, each and all subservient to His will. He it is who initiates creation and continually renews it..." (Qur'an 30:26-27). Allah saved a pair of every species from the great flood (Qur'an 11:38-40), and we are called upon to tend, protect, and save creatures that have been driven to the brink of extinction. Allah beseeches, "Do not defile the good earth, hallowed as it has been" (Qur'an 7: 55-56).

The mystical tradition of Islam (the Sufi tradition) “permeates everything Islamic—philosophy, Qur’an commentary, economic life, and popular institutions” (Cragg, House 64). The Sufi tradition is an expression of Islamic spirituality and not a separate or divergent religion (Stoddart 61). Islamic mysticism holds a wealth of protectionist teachings.

Mystics in all faiths tend to believe that the devout can communicate directly with the divine—can personally experience the divine (Rippin 25). This is partly due to the mystical sense of the “‘oneness of essence’ between the creature and the creator” (Stoddart 71). “The central doctrine of Sufism is... the ‘oneness of being;’” Sufis accept no duality (Stoddart 43-44).

Because Sufi’s see all that exists as a unity, they experience Allah *within* the world. The world is not of a different principle from the Divine; the essential principle of the earth is that of the Almighty (Stoddart 49). In Sufi teachings, what we see and experience on earth is not lowly and base—it is part of the Divine essence. The earth is precious because it is inseparable from the Absolute (Stoddart 42). In the Sufi worldview there is no gulf between Allah and human beings, between human beings and the rest of creation, or between Allah and the world.

The Sufi tradition, based on the Qur’an, acknowledges creation as a treasure that holds Allah in every nook and cranny. Mir, a Sufi poet in India, wrote: “Rose and mirror and sun and moon—what are they? / Wherever we looked, there was always Thy face” (Schimmel 289). Sufis find in the world “a revelation of God... his beauty and wisdom are revealed in creation” (Marshall 135). For Islamic mystics, “The whole creation is one great mirror, or a large number of mirrors, reflecting God’s overwhelming beauty” (Schimmel 382).

Dhu’n-Nun, an Egyptian mystic, wrote of oneness between God and all of creation:

Oh God, I never hearken to the voices of the beasts or the rustle of the trees, the splashing of the waters or the song of the birds, the whistling of the wind or the rumble of the thunder, but I sense in

them a testimony to Thy Unity, and a proof of Thy incomparability, that Thou art the All-Prevailing, and All-Knowing, the All-True. (Schimmel 46).

Jalal al-Din Rumi (1207-1273), perhaps the most famous Sufi poet, indicated that all had come from Allah, and all would return to Allah, as stated in the Qur'an. This knowledge, combined with his sense of ultimate unity, gave Rumi a strong sense of the interconnectedness of all life and the connection of all life with Allah:

I died a mineral and became a plant.

I died a plant and rose an animal.

I died an animal and I was a man...

To Him we shall return.

Mystical traditions tend to turn spiritual energies inward. The Hadith qudsi ("tradition") states that "The heart of man is the throne of God" (Stoddart 19, 81). It is through the heart that Allah touches the human soul; not with our brain do we come to know Allah, but through the heart (Stoddart 46-51). The Qur'an warns of unbelievers: "It is not their eyes that are blind, but their hearts" (22:46). Rumi understood the religious life as moving from the human heart toward Allah. He longed to be close to God, and in his search for the divine he lived a life of love, discipline, and self-sacrificing service (Mathnawi III, 3435).

Rumi was an ascetic whose simple lifestyle and earthly service stemmed from his love for Allah. His actions were informed by belief in the oneness of all: "Bread-giver, bread-taker, bread. / The categories dissolve / into One water" (Mathnawi VI, 73). Whatever Rumi saw, whomever he helped—be it a katydid or a calico clam—it was an expression of *love for Allah*. In the mystic's eye we are all part of Allah, and Allah is part of all that exists. Who, knowing this, would harm even the smallest entity?

The Sufi tradition acknowledged the preeminence of love in a life devoted to Allah. Ibn 'Arabi wrote:

My heart has opened unto every form: it is a pasture for gazelles, a cloister for Christian monks, a temple for idols, the Ka'ba of the pilgrim, the tables of the Torah and the book of the Qur'an. I practice the religion of Love. (Stoddart 51)

In the Islamic tradition, a good heart is critical to salvation. The Hadith ("traditions") offer the examples of a woman who "was damned because she allowed her cat to die of hunger," while a prostitute "was saved because she gave a drink of water to a dog" (Schuon 9). It is ineffective to follow the fundamentals of Islam meticulously while harboring a cruel heart that leads to cruel deeds. Conversely, no matter how far one might have fallen from the straight path, Hadith teach that one with a heart filled with compassion and tenderness is apt to be spared (Schuon 9).

The Islamic tradition ought to be applied by Muslims in day to day life: "knowing the truth without doing it is vanity. In fact, the truth cannot be merely known, in the sense of being brought into mental awareness; it must be fully 'known' through realization in action" (Denny 12). Generosity and self-sacrifice are virtues in the Qur'an, and social ethics are critical (Cragg, Islam 114): believers are expected to tend the poor and needy. Those who limit their attentive hand to human beings fail to acknowledge the extent of their role as servants to Allah and all that has been created. Sa'di, wrote:

His Angels order Man and Bird and Beast,

The Fish, the Flies, the largest and the least;

So plenteous is His bounty that the Ant

Finds meat...

Goodness and gifts diffusing, feeding these,

Because He is creation's Lord, and sees

All living things...(Book 21)

“Sharia” is the term for the body of writings referred to as Islamic law. Islamic law “constitutes the ideal social blueprint for the ‘good society’” (Esposito 75). Shari’a comes from an Arabic word that means “way,” as in direction to a certain location (such as the “way” to the beach). The Shari’a is “God’s ordaining of the right way for his faithful creatures” (Denny 8). The word “Islam” literally means to “surrender to God’s law” in day-to-day life (Esposito 69). Muslims are expected to behave in a way that demonstrates submission to Allah and respect for all that the Divine has created.

Islam offers a wealth of scripture and religious exemplars that clear a path for protectionists. While Islamic texts offer divergent teachings, as well as practices, few Muslims would argue that Allah desires exploitative or cruel behaviour. Sacred writings indicate that Allah’s mercy and compassion encompass all of creation, and that the role of practicing Muslims is one of self-sacrificing submission and service to Allah.

5. Indigenous Traditions.

Peoples of ancient times generally thought it obvious that the whole world was to be admired, in and of itself (Clark, “Animals” 124). Respect for the natural world was common amongst ancient societies that depended directly on the surrounding environment for survival. In such communities sustainable lifestyles, complete with protectionist philosophies, were often built into cultural belief and practice (Kwiatkowska 268, 271). Moral codes that entail respect for nature were central to the worldviews of most of these ancient cultures. Their moral codes guided everyday life (VanStone 122).

Most hunter-gatherer societies lived in close contact with nature and with other species. It was natural for such peoples to struggle with the harm they brought other animals when hunting for food and clothing (Serpell 29). Feelings of respect and regret were commonly expressed in myths and rituals.

For traditional subsistence hunters and gatherers “the division between subject and object, between landscape and people, [did] not exist” (Kwiatkowska 276). They tended to view their relationship with the natural world as one of kinship (McLuhan 56, 99). Such peoples most often viewed themselves as just one part of an ongoing sacred life that included the entire cosmos. They often believed they were connected to all that was

around them, and they felt “consciously responsible for the continuity and balance of the cosmos,” which they sometimes promoted through rituals (Kwiatkowska 271).

Many indigenous traditions offered nature-friendly spiritual visions. The Koyukon of interior Alaska and Canada provide a representative concrete example. Indigenous cultures of North America have changed dramatically, so traditional attitudes and practices are discussed in the past tense.

The Koyukon, like most Native Americans, believed that animals, plants, and the natural world were “endowed with spirits and with spiritually based power” (R. Nelson 228). “Each animal knows way more than you do... the old people... told us never to bother anything unless we really needed it” (225). Traditional cultures in North America were respectful toward the animals because they believed that other animals “possess consciousness, will, and other capacities... superior to those of humans” (Harrod 159). They considered animals sacred and powerful—quite capable of preventing a hunter from having success (R. Nelson 231). Consequently, these powerful entities were treated with respect.

North American natives did not see any division between other-animal and human-animal spheres (Erdoes 389). They assumed that other animals shared “human” qualities and that a social and spiritual relationship existed between people and non-human animals (Gill, Native American Traditions 121). How the Koyukon interacted with nature was critical because they believed that humans and other natural entities shared a constant spiritual interchange that profoundly affect[ed] human behavior” (R. Nelson 229). As a consequence, traditional hunters upheld “a code of moral and social etiquette” that encompassed all creatures (R. Nelson 228).

I do not wish to perpetuate the myth that indigenous peoples are moral exemplars of human interaction with the natural world. This is not the case, and never was. For instance, for the sake of good luck, or to prevent bad luck, the Koyukon sought and killed rare animals (R. Nelson 28, 112-113). Native religious traditions, like other religious traditions, offer a wealth of protectionist ideals—but these traditions are imperfect, and even if they weren’t, religions are no better than the individuals who enact—or fail to

enact—spiritual teachings.

European settlers quickly transformed many indigenous peoples. For a price, natives of Southeast Alaska hunted otter to oblivion. Today the Inuit of Canada's Arctic use high-powered guns, fast-moving boats, steel traps, and snowmobiles to expedite hunting and trapping; Menominee Indians of Wisconsin engage in modern forestry for economic gain, as do the natives of Southeast Alaska—with disastrous ecological consequences (Buege 83). Presently, the Makah of Northwestern Washington State chase and kill whales with the aid of U.S. government funded helicopters. Before the advent of Caucasians, Natives were able to maintain the ecological balance partly because of their small populations and dearth of technology. Today's American natives enjoy some of the best medical care in the world, and their populations have grown accordingly. Furthermore, they would now be at a loss without gasoline-powered transport and the best in U. S. weaponry, with which to kill the animals they hunt.

Like each of the previously discussed religious traditions, ancient and indigenous religious traditions and their adherents can be faulted for philosophies and practices that exploit and damage non-human entities and the environment. But like the other faiths presented, traditional spiritual beliefs offer a wealth of protectionist teachings for those who might care to notice.

Summary

Kant wrote that "the difference between the moral Christian and the moral non-Christian is that the former believes in a God... while the latter does not" (Gunn, "Traditional" 152-3). As Kant indicated, moral ideals such as compassion, simple living, and self-sacrifice are older and more pervasive than any particular faith-tradition; scripture and mythology advise compassionate attentive interaction with those that are at our mercy—not just toward human beings, but in our interactions with other living entities, and with nature as a whole.

B. Consistency and Impartiality in Applied Protectionist Ethics.

I have noted elements of partiality and inconsistency in each of the four theories I

have presented and examined. For the rest of this chapter I present a protectionist theory, the Minimize Harm Maxim, based on impartiality and consistency.

Established Western ethical standards generally protect human life, even at tremendous cost. In search of a truly impartial and consistent application of this high standard, this section develops a theory based on this ideal standard for protecting life. This section does not contain my personal theory, but an exploration of the consistent application of current Western ethics by extending ethics amongst human beings to all other entities that have not been proven to be different in morally relevant ways.

Therefore, if this theory seems extreme, it is only because our standards for protecting human life might be considered extreme. If it seems idealistic, it is only because we seek to protect human life idealistically. If it seems outrageous, it is only because we are not accustomed to treating other life forms with the same ethic we desire for human life forms. Though it may seem extreme, idealistic, or outrageous, in the absence of any morally relevant distinction between all human beings and all other animals, the Minimize Harm Maxim extends current accepted ethics between people to include all creatures that are similar in morally relevant ways.

Toward this end, I offer three premises, followed by an ethical maxim and a handful of sub-points. Finally, I apply these premises and maxims in both real and hypothetical cases.

MINIMIZE HARM MAXIM

1. Premise One: All living entities are morally considerable.

a. *living entities and conatus*: Living entities have conatus. Conatus is a drive to maintain one's own integrity or unity (Rollin 39), "an effort or striving" to maintain existence (Webster's). Conatus is fundamental to the "biological nature" of living beings (McGinn 81-99). Conatus is absent in all that lacks life.

Without the tendency to persist, to resist genetic oblivion, living entities would not continue to exist. Without conatus living entities would be likely to starve or fall prey to other entities. Any being without a basic will to survive will not stay alive very long in a

world where only the most fit survive. Because of conatus, entities seek food, propagate, and move away from predators.

Feedback systems are evidence of conatus:

When anything starts to go wrong, some sensory device perceives the trouble and sends a message... that acts to set things right. If sunshine strikes your skin cells, with possible overheating or damage from the ultraviolet component, heat receptors may notify your brain, which then stimulates muscles to act in ways that cause you to walk to a shady tree. The skin cells themselves can perceive the problem and respond by making the pigment melanin, another way of putting vulnerable cells in the shade. If blood sugar drops to a functionally deficient level, it is perceived and corrective measures are taken by the conversion of glycogen or fat reserves into sugar, or perhaps just by eating. (Williams 120)

The idea of conatus is thus applicable to body parts, such as skin or a spleen. A morally considerable living entity *as a whole* is morally preeminent over body parts (discussed in the last section of this chapter), but the Minimize Harm Maxim protects body parts.

b. *morally considerable*: Subjects-of-a-life are morally considerable in Regan's theory. In Singer's theory sentient beings are morally considerable. In Linzey's theory all of creation is morally considerable out of duty to the Divine. Natural teleological entities are morally considerable in Taylor's theory. The Minimize Harm Maxim asserts that all entities with conatus are morally considerable, and ought to be taken into account when determining actions that might affect that living entity.

In the Minimize Harm Maxim, moral considerability is granted to all living entities *because* they have conatus—an interest in survival—that can be harmed or thwarted. Inasmuch as every living entity seeks to survive, if we are to protect this tendency in human beings, we ought to respect this tendency in all entities.

Modern Western ethics protects the human urge "*to preserve our existence as persons*" (P. Taylor, "Inherent" 25). Thus Western ethics recognizes human beings as

morally considerable. Both civil law and human morality reflect personal human interest in continuation—in resisting harm and avoiding death. For the sake of consistency and impartiality, as outlined in the introduction, the Minimize Harm Maxim offers moral considerability impartially and equally to all living entities, and assures that each entity with conatus is allowed to exist in its own right, along with all others.

c. *conatus and Spinoza*: Conatus is “the force in every animate creature toward the preservation of its existence” (Webster’s). In Spinoza’s writing, conatus is virtue, which is power, which is understanding; the knowledge of God is the greatest understanding one can have (Spinoza XXV).

In Spinoza’s great work, *Ethics*, conatus defines living individuals (Scruton 457). “Everything in so far as it is in itself endeavors to persist in its own being,” and such endeavoring “is nothing else than the actual essence of that thing” (Spinoza III, vi and vii).

Spinoza’s metaphysical ideas about individuals and matter have strong implications for his ethics (Scruton 451). Spinoza reasoned that God, being omnipotent, omniscient, and omnipresent, must *be* everything: “Whatever is, is in God, and nothing can exist or be conceived without God” (Spinoza I, xv). God is indwelling in all things, and each entity acts according to the will of God. “... all things are determined by the necessity of divine nature for existing and working in a certain way (Spinoza I, xxix). If God is everything, then nothing is separate from God, and there can be no world outside of God. Spinoza concluded that all of nature—all that exists—must *be* God (Spinoza V): God and the universe are one and the same.

Spinoza was interested in philosophy as a way of life (Baird 105). He concluded that “God is all,” and believed we ought to live accordingly: “do only those things which love and morality advise” (Spinoza II, iv a). Because he asserted that we share in divine nature, he believed that we should “act only from God’s command” (Spinoza II, iv a).

Spinoza asserted that the motivating power behind all of our actions is self-preservation—conatus. “The very essence of a human being is desire, that is, a striving by which a man tries to preserve his existence...” (Spinoza IV). Furthermore, the highest

virtue is conatus—to endeavor (Spinoza IV, xxii). “The more each one seeks what is useful to him, that is, the more he endeavors and can preserve his being, the more he is endowed with virtue” (Spinoza IV, xx). He reaches this conclusion because: “No one can desire to be blessed, to act well, or live well, who at the same time does not desire to... exist” (Spinoza IV, xxi). For Spinoza, *striving for existence is the foundation of virtue*, and to “act absolutely according to virtue is nothing else in us than to act under the guidance of reason, to live so, and to preserve one’s being (these three have the same meaning) on the basis of seeking what is useful to oneself” (Spinoza IV, xxiv).

Every living entity, according to Spinoza, is perpetually engaged in the endeavor to persist in its being, to maintain the actualization of its own essence, which *is* God. Because this urge is synonymous with the divine, each entity that has conatus finds happiness dependent on the level of success in preserving its existence. Our behaviour is guided by conatus, by God, and this impulse for self-preservation leads human beings to understanding, the highest form of which is the knowledge of God (Spinoza IV, xxviii, Schacht 93). Spinoza viewed God as the root source and ultimate means of salvation and self-preservation. Ultimately, conatus—the endeavor to persist shared by all living entities—is nothing more nor less than the power of God (Shahan 131).

Knowing that God is behind our endeavor to survive, and knowing that God is present in all other beings in a similar way, has an influence on what we ought to do. In Spinoza’s writing, conatus is a natural, virtuous, pathway to happiness, power, understanding, and the knowledge of God (Spinoza IV).

d. *conatus as opposed to teleology—avoiding epistemological problems:* In the most basic sense, conatus is the essence of teleology, the “drive, force, or urge possessed by a thing which is directed towards the preservation of its own being” (Runes 61). Animals, unlike stones, maintain themselves: they avoid injury, resist threats, and restore themselves when damaged (Scruton 47). In this sense teleology is synonymous with conatus. But teleology implies additional concepts such as “design,” “purpose,” “will,” and “final cause” (Webster’s). An examination of “will,” demonstrates why “conatus” is preferable to “teleology.”

Ethical theories almost all include an element of “will” as an important criterion. Albert Schweitzer, known for holding an all-encompassing ethic of reverence for life, based his moral code on “will to live.” Critics noted that “will” is “a conscious mental activity, and thus unlikely to occur in plants, micro-organisms, and other life forms that evidently lack the neurophysiological equipment to engage in conscious mental activity” (Warren 34-5). By this definition plants have no will, yet Schweitzer included all of nature—even snowflakes—in his moral universe.

Why did Schweitzer include “will”? Why is a mental function considered relevant to moral consideration?

Conatus removes all mental aspects from moral considerability. Conatus does not require mental awareness of any kind. Philosophers (or biologists) who attempt to determine mental capacities, or to ascertain specific mental states, run the risk of choosing attributes that are more human-like, or more highly valued by humans, but which are not morally relevant (as noted in the four theories previously examined).

J. S. Mill epitomizes the pitfalls of such an endeavor (as discussed in Chapter One): “It is better to be a human being dissatisfied than a pig satisfied” (18). As noted, it is epistemologically problematic to determine the mental, emotional, or psychological abilities or conditions of pigs, barracudas, whirligig beetles, or our fellow human beings. Any such assessment is likely to be biased as we have only our own mental state from which to assess those of all other entities (A. Taylor 257). Mill’s generalities and assumptions do not seem to hold any philosophical strength. (The fact that this statement has been quoted and re-quoted merely stands as evidence of our tendency to believe that human existence is somehow more valuable, and therefore more justified, than any other form of life.) For the sake of consistency, mental state ought not to be a factor for moral considerability, as it is not a factor with regard to the moral considerability of human beings. In any case, mental assessments of other entities entail epistemological problems and human bias.

When moral considerability rests on teleology, mental state (such as “will” or “desire”) becomes relevant. Those who base moral considerability on teleology often

argue that it is wrong to “kill a being that has a very powerful desire to go on living” (Frey, “Autonomy” 51). Yet it remains unclear how we might apprehend such “desire” in other entities.

The epistemological problems entailed in determining the mental states and capacities of other entities, indicates that “will,” and other mental states, ought not to be a factor for moral considerability:

My inclination is to purge all biological discussion of mentalist interpretation. If I should propose that a mosquito turns upwind whenever it detects increased carbon dioxide so that it can find a breathing animal to feed on, I am talking about its adaptive programming, not about its understanding or thinking. Likewise, when I propose that Suleiman the Bloodthirsty, a Moroccan potentate some centuries back, amassed a large harem in order to maximize his genetic representation in future generations, I would not be implying that this is what he consciously wished. I would be talking about the adaptive programming that was precisely organized for this effect. (Williams 72)

Adaptive programming is evidence of *conatus*—striving to persist—a fundamental attribute of all living entities.

Most protectionist philosophers include mental desire in their ethical theories. Peter Singer writes: “Apart from individuals whose lives are so miserable that they do not wish to continue living, the only individuals likely to have no preferences for continued life will be those incapable of having such preferences because they are not self-conscious and hence are incapable of conceiving of their own life as either continuing or coming to an end” (“Animal” 9). Singer assumes that *mental* preference for continued existence is morally relevant (“Animal” 254): the “obviously relevant issue is whether non-human animals have the same interest in continued life as normal humans...” (“Animal” 6). Singer refers to *mental* interest.

In Singer’s view certain life forms (such as those that have no grey matter) cannot be assumed to have a preference for (or interest in) existence, and they are therefore not morally considerable. *But all living entities have a conatus-based interest in living.* The

problems entailed in Singer's position on the importance of "will" comes to the fore if the word "conscious" is added and if his use of the mental term, "preference" is replaced with a term that admits of conatus, "biological interest." "Apart from individuals whose lives are so miserable that they do not [consciously] wish to continue living, the only individuals likely to have no [biological interest in] continued life will be those incapable of having [conscious] preferences..." ("Animal" 9). These additions reveal the ambiguous nature of Singer's assertion. This highlighting of biological interest as opposed to conscious preference reveals the importance of distinguishing between the two. Every living entity has a biological interest in persistence. The mental state of a boll weevil, chinchilla, or my neighbour, is indeterminate. But both science and common sense indicate that living entities function in order to avoid oblivion and maintain genetic identity over time—they all have conatus, a biological interest in survival.

The work of Singer (and many others) ignores the fact that living beings would cease to exist if they did not strive to persist. Biologically speaking, all living entities have a "will" to persist, without this "will" they would not survive. In the words of the marine biologist George Liles: "the cells and organs that make life possible had better be well designed, because the job of living is formidable" (Williams 72-3). If we did not function *explicitly to persist*, we would cease to exist as living entities. Even with conatus, many living entities—entire species—are unable to survive.

The inherent uncertainty involved in apprehending "will" in other living entities is reason enough to avoid teleology, and all that this term implies. Conatus is a more fundamental and identifiable aspect of living entities, and therefore a more philosophically sound basis for moral considerability.

e. *interests*: Recall Regan's clarification of two distinctive types of "interest," active and passive, such that the good of an entity can either be consciously sought or a passive reality of their biological existence. He talks about one *being interested in*, versus something being *in one's interest* ("Nature" 22). This distinction is clear when viewed in the context of children, who often are *interested* in things that are not *in their interest*. Most philosophers (including Regan and Singer) include consciousness in their assessment

of moral considerability. When based on conatus, Protectionism requires no *conscious* interest in persistence, and no mental assessment.

Conatus is present in all living beings because persistence is always in such a being's interest. Conatus, as a basic criterion for moral consideration, is a *biological interest*. Conatus entails something being in one's good. Plants have conatus. They have an interest in sun and water—to have sun and water is in their interest (Goodpaster, "On Being" 319). Biological needs are fundamental for the survival of a tree, and are distinct from any mental state ascribed to trees by people: "The interests at stake are clearly those of the living things themselves, not simply those of the owners or users or other human persons involved" ("On Being" 319). Both a snapdragon and a human being have a good—their interests—that can be realized or thwarted. Conatus does not require a *conscious* interest in persistence.

A theory based on conatus avoids the impossibility of assessing where consciousness (or pain) begins and ends, what mental (or physical) realities are experienced (or not experienced) in other beings, and where certain lines ought to be drawn in light of these epistemologically problematic details. Conatus, as the sole criterion for moral considerability, skirts the issue of "rights" and prevents one entity from being traded off against another for the possible greater advantages gained by the majority—or by the more powerful. The *only* factor of relevance in the Minimize Harm Maxim is whether or not an entity has conatus. Entities with conatus are not compared or weighed off one against another. All entities with conatus are equally deserving of moral considerability.

Consistency and casuistry require like treatment of individuals with morally relevant similarities (Feinberg, Social 100). Conatus reaches the most basic similarity shared by all living entities, and it highlights the most basic sense of what it is to have an interest—to have something *be in one's good*. Just as a weeping willow is dependent on sun and water, all living entities have basic interests that allow them to persist as entities in their own particular way—they all have conatus. Conatus, then, is a criterion for moral considerability that includes all living entities because all such entities have an interest in

survival whether or not people think that they can feel, whether or not human beings believe they can think, and whether or not they are considered capable of reasoning.

f. *impartiality and moral relevance of conatus*: Ethicists have persistently focused moral considerability on certain individuals and the interests of those individuals. Only the particulars of *which* individuals have varied, depending on which individual made and defended the ethical principles, and the breadth of their moral vision.

Only in recent centuries have the interests of “others” (such as women and African Americans in the United States) been acknowledged and protected as a matter of justice. In Western societies the scope of ethical protection has been almost exclusively human, and it has often been narrow and sectarian even amongst Homo Sapiens. However, the trend has been to expand our ethical vision:

...this aspiration toward the universal is the chief feature of the moral history of mankind. It is not that modern man is kinder, fairer, or more dutiful than his primitive forebears; in fact, man for man, he may be less kind, less fair, and less dutiful. It is, instead, that whatever his moral proclivities, they now encompass a larger number of people. The Apache warrior may have been far more loyal to his family and caring of his offspring than a contemporary professor of philosophy, but where the Apache would kill without remorse a warrior from another tribe, the philosopher would feel obliged not only to spare the life of a sociologist but to go to great lengths to ensure that the latter was given equal opportunity and personal liberty. (J. Wilson 194)

We have demonstrated our ability to recognize and honour similar interests amongst a diversity of human beings. Protectionist philosophy is at the cutting edge of this outward ethical expansion.

Some protectionists advocate an inverted approach to moral considerability whereby all beings are granted initial, unquestioned moral considerability (Birch 318). Any quest for moral considerability “will always serve to *exclude* beings from consideration,” and may be innately undesirable (Hayward 56). Our quest for criteria by which to *include* and simultaneously *exclude* individuals and species seems

counterproductive to the expansion of moral theory. Our past indicates that we “are subject to thresholds of moral sensitivity just as we are subject to *thresholds* of cognitive or perceptual sensitivity;” beyond such thresholds we are “morally blind” and suffer “disintegrative consequences analogous to ‘information overload’ in a computer” (Goodpaster, “On Being” 313). Perhaps moral considerability ought to be expanded radically in order to carry us beyond this threshold along our path to an ever-expanded ethical vision. “The lesson of history is that we must open up the question of moral considerability and *keep it open, not* close it off again by instituting practices based on the latest, and no doubt mistaken, ‘final’ criterion” (Birch 321).

Refocusing philosophical protectionism on conatus avoids human bias that has, in the past, tended to exclude individuals that were not recognized as morally considerable, such as “slaves” and women. Conatus as a base requirement for moral considerability offers all living beings moral protection, and provides another step outward in Western ethical theory and practice. Protectionists hold moral aspirations *to acknowledge the universal protection that is due to all living entities as a matter of impartiality and consistency, if we are to persist in protecting the lives of all human beings.*

While the outer edges of conatus may be just as difficult to define and delineate as those for subject-of-a-life, or sentience, an ethic based on conatus is vastly more inclusive, and far less partial. The distant edges of conatus may be obscure, but those entities that clearly qualify are greatly augmented, while those that occupy the grey zones are far removed from pressing current ethical dilemmas which involve elephants and horses, cattle and pigs, mice and guinea pigs. Conatus extends moral consideration to all living entities with which we consciously interact; all entities about which we specifically make moral decisions.

How far might conatus carry this outward ethical expansion? Even protozoa have interests, e.g. things that are conducive to their well being (VanDeVeer, “Interspecific” 67). We cannot know what it is to be a microbe, but there are certain things that are, and are not, in their interest. They have conatus, the urge to persist, and biological needs that must be fulfilled if they are to survive as the type of beings that they are.

Basing protection on conatus eliminates partial assessments of which entities ought to be protected. Most of us have never seen a protozoa, but these one-celled organisms are morally considerable under the Minimize Harm Maxim. Conatus grants moral considerability to living entities whether or not we know them personally, whether or not they seem insignificant, beautiful or noble, alien or detrimental—or even which life-forms are harmful to human enterprises. All of these, along with power, consciousness, and sentience are mere derivatives of “the more basic right of a being to pursue its own good” (Regan, “Exploring” 82).

An entity with conatus, whether protozoa or human being, is morally considerable under the Minimize Harm Maxim, and must be taken into account when making decisions that impact these entities. There is no basis on which to assume that the conatus of one individual, or one species, is weaker, more valiant, or in some way more important than in other beings. In the Minimize Harm Maxim the interests of all that *have something that is in their interest* count morally, human or non-human. Plants, bacteria, and all primates are *equally morally considerable*.

The Minimize Harm Maxim is an ideal ethic that aspires to be consistent and impartial, and therefore carries current Western ethics with regard to human life to its logical extreme. As a matter of philosophic consistency, the Minimize Harm Maxim asserts that if human life ought to be protected then every life ought to be protected. All life ought to be protected regardless of mental state, central nervous system, subject-of-a-life status, or species because living entities have conatus, an interest in persisting as the type of entity that each is. In the absence of a morally relevant distinction between all people and every other animas, all living entities ought to be morally considerable.

2. *Premise Two: To persist as a living entity necessarily entails harm.*

“The process of life and evolution are such that without the destruction of life there can be no life” (Lee 305). Ungulates tread on fungi; carnivores chew on ungulates. Organisms live on and within our bodies and the bodies of those we harm. All life forms will eventually “be eaten or otherwise consumed by animals: by predators, ...by microbes or by auto-digestion” (Webster 81). Everything eats and is eaten. Life is sustained by the

ecological process of “mutual predation” (diZerega 28).

Differing interests are not always compatible. Individuals compete with individuals... While there is symbiosis in nature, live and let live, interaction for mutual benefit there are also conflicts of interest. Nature may not entirely be red in tooth and claw, but certainly we cannot wish away the fact that, in many forms, blood is shed. Fortunately, we are not called upon to police the biosphere. (L. Johnson 244)

There is a great deal of harm we cannot avoid. It may seem regrettable, but “not even in principle could we prevent all injuries... We cannot prevent injuries even to ourselves, let alone throughout the biosphere, but we can strike and maintain balances” (L. Johnson 244-245). When one must harm to satisfy basic interests, such actions are not morally reprehensible.

Basic interests are essential to the maintenance of life. Food is a basic interest because we cannot persist individually without food. There are very few basic interests: food, water, air, our immediate safety, and (depending on the climate and species) clothing and shelter.

Just because bloodshed is an unavoidable aspect of life on earth does not indicate that we may as well kill and be killed with wild abandon (Luke 41). Morality does not seek what is common, but what we *ought* to do. Ethics require us to speak the truth, though being completely honest in all situations seems impossible. Similarly, though it seems to be impossible to maintain all entities in all situations, we are called upon to strive to preserve and protect life.

Ultimately, all that now lives will die; all that exists will perish. The life of a may fly—just a few hours of flight—is not a cause to give up, but a reason to contemplate the value of a few hours of life. The Minimize Harm Maxim does not enjoin the prevention of all harm because this is not possible; it only asks that we *minimize* harm.

3. *Premise Three: Any hierarchy of moral considerability is indefensible.*

a. *innate human bias:* For as long as history has been recorded, philosophers

have grappled with their place in the world of living beings. Western philosophers have most often proposed a hierarchy; the one who proposes the hierarchy usually places themselves, or their kind, at the pinnacle. Our assessments of other organisms have been based on personal preference and vested interests, and a narrow human vision of what life entails.

...such ranking inevitably leads us to value most that which is either most useful to us (economically or aesthetically) or most like us. To give more or greater rights to porpoises over sharks and kittens over cockroaches because the former exhibit a greater "richness or experience" is to beg the question. Whose standards are the correct ones? The shark and the cockroach appear perfectly content with their respective (depth of) life experiences. Certainly their experience has served them well enough in terms of evolutionary survival. What we understand by "rich experience" it turns out, is experience that most closely resembles the kind enjoyed by [normal adult] human beings. (Thiele 176)

Hierarchies have also been set amongst human beings. In the Western world there has generally been a hierarchy of human beings, with men over women and slaves on the lowest tier of humanity. In the United States Native Americans were once considered "less than fully human" (Orlans 3). Western morality and behaviour have often reflected an attitude of European superiority, and from this core prejudice we built hierarchies that delineated moral considerability amongst human beings.

In current Western ethics there is no legitimate hierarchy of moral considerability among human beings. Yet we persist in applying a hierarchy that places *Homo Sapiens* above all other species.

"Any judgment we make about the subjective value of human life relative to the subjective value of non-human life is likely to be profoundly biased" (A. Taylor 257). Western scholars have engaged in much philosophical speculation to delineate exactly what makes us different from all other animals. Our "philosophic" assertions seem rather like our superstition that a four-leaf clover is luckier than a three-leaf clover, or luckier

than a sand lily. Myths regarding our place in nature have become accepted "truths." We claimed that human beings were closer to God, had souls and rationality, used tools and language... and in any case, we were the ones making and defending the rules for moral considerability.

More recent scholarship has challenged these older assumptions. Mary Midgley writes:

The general point is that other animals clearly lead a much more structured, less chaotic life than people have been accustomed to think, and are therefore, in certain definite ways, much less different from men than we have supposed. ...[our assumed differences were] built up on a supposed contrast between man and animals which was formed by seeing animals not as they were, but as projections of our own fears and desires. We have thought of the wolf always as he appears to the shepherd at the moment of seizing a lamb from the fold. But this is like judging the shepherd by the impression he makes on the lamb at the moment when he finally decides to turn it into lamb chops. (Beast 25)

Maybe a four-leaf clover brings good luck, maybe the wolf is as conniving as Little Red Riding Hood would have us believe, and maybe Homo Sapiens is more God-like than all other animals, but empirical evidence does not support any of these assertions. Our esteemed place amongst the myriad creatures seems little more than oft-repeated myth. Yet these myths have prevented us from accepting moral kinship with other animals.

Our history of self-assessment in relation to other living entities reveals our creaturely limitations; we seem patently unable to fairly assess characteristics that are radically different from our own. As a result, we have "put a fictitious gulf between ourselves and other animals, to the great detriment of the latter" (Singer, "Animal" 3). "Our limited ability to relate to other entities has informed our stilted value system on which we have built laws and standard practices;" other creatures can rightly and reasonably be judged only "in terms of their ability to carry out the way of life appropriate for that animal" (Gunn, "Traditional" 151).

Even if we can show that some animals have a more complex physiological organization than others, we haven't, I think, hit on any really justified sense for 'lower' and 'higher', especially since we increasingly find out that some of the apparently similar animals may be extremely complex in the organizations of their ecological relationships or, as in the case of some of the insects, their social relationships. (Brophy 67)

Human beings have tended to value and reward attributes that we perceive to be specifically human. But every creature is miraculous in its own right. Consider the puffin's ability to negotiate—unaided by devices—on the water, in the air, on land, and under water. The puffin has a remarkable bill, can land on tiny ledges on vertical cliffs, tirelessly feeds young chicks, remains loyal to one mate unto death, catches fish without mechanized help, and survives in the most inclement weather without artificial clothing. Puffins even manage to settle inter-puffin disputes without harm or death. Are the characteristics for which we have long praised and privileged ourselves any more remarkable or morally relevant than those of the puffin?

...humans have distinctive traits that members of other species lack, such as rationality and moral agency. ...the members of non-human species also have distinctive traits that humans lack, such as the homing ability of pigeons, the speed of the cheetah, and the ruminative ability of sheep and cattle.

...there is no point in claiming that the distinctive traits that humans have are more valuable than the distinctive traits that members of other species possess because there is no non-question-begging standpoint from which to justify that claim. (Sterba 193)

The Minimize Harm Maxim acknowledges the epistemological difficulties of assessing traits across species, and our tendency to be biased. Due to the ethical importance of impartiality, epistemological difficulties, and in light of a long history of human bias, the Minimize Harm Maxim permits no hierarchy with regard to the moral considerability of living entities.

b. *empirical evidence*: Modern scholarship indicates that we are no more or less

unique or marvelous than any other species. In The Origin of Species Darwin wrote:

...like the other animals, man is subject to slight variations from individual to individual (no two people are exactly alike), and these variations are heritable. Man also reproduces in greater numbers than can survive... Any species with an extended range will tend to diversify; individualized, geographically separated varieties will appear. This happens with man: Africans, Eskimos, and Japanese are, to the biologist's trained eye, distinct varietal forms. Moreover, as biologists had always known, it is easy to fit man into the great classificatory scheme: he is a primate, a mammal, and so on. Once these classifications are seen as related to lines of evolutionary descent, it is clear that man also belongs to a particular line of descent. (Rachels, "Darwin" 100)

Darwin's work pushed us to see that we are closely related to other animals: we share an estimated 99% of a chimpanzee's genetic composition (Orlans 98); our "blood and DNA put us closer to the chimpanzee than horses are to donkeys" (Ryder Animal 331).

...the genetic code is in fact literally identical in all animals, plants and bacteria that have ever been looked at. All earthly living things are certainly descended from a single ancestor. ...From a molecular point of view, all animals are pretty close relatives of one another and even of plants. You have to go to bacteria to find our distant cousins, and even then the genetic code itself is identical to ours. (R. Dawkins 12)

In the last analysis we are merely another herd of animals, with close relatives in the rest of the animal world, and with our own tendencies, advantages, and shortcomings. Our genetic code carries not only "impressive cleverness," but also remarkable "stupidities;" human beings are the product of natural selection, not rational planning (Williams 136).

At last, the life sciences have yielded a fuller wisdom. We are natural creatures. The oxygen we

breathe is a gift of the plant kingdom, just as the carbon dioxide we exhale is their nourishment. Our food is digested by symbiotic microorganisms without which we would starve. The DNA code that defines us is composed of the same four molecular letters that define all life. The salinity of our blood is the same as that of the sea from which we came... Nature gave birth to us. Nature sustains us. Nature is us. (Partridge 11)

In light of such evidence, we cannot help but see our “comparative insignificance,” we are just one species amongst many (Hill 219). Today, not so very long after the days of Darwin, few deny our biological proximity with the rest of the natural menagerie. Indeed, it would be difficult to deny such abundant empirical evidence. Whatever we wish to call ourselves, however we wish to classify ourselves, we are part of a great glob of striving conatus, part of a mass of entities that swarm the earth seeking to persist. Such a realization indicates that it is time to “discard speciesism along with all our other delusions of grandeur, and accept our natural place in the universe” (Ryder, Animal 334).

Giving up our sense of our own unique status is very important to morality because it undermines the long held view that we “are fundamentally different and deserve unique or sole moral consideration” (Orlans 16). Yet “Darwinism, despite establishing the now almost universally held belief in the *physical* kinship of men and animals, did not cause most people to take the logical next step of admitting *moral* kinship” (Ryder, Animal 331). Why?

We have denigrated other animals for centuries. Our inclination to see living things within a hierarchical order, and to place ourselves at the top of this hierarchy, has helped to prevent us from accepting our rightful place in the animal world. With the advent of Darwinsim, our negative perception of “animals” has caused some problems for our *self*-perception—the way we perceive beasts has become the way we perceive ourselves (Rodman 18). It has been difficult for us to accept our “lowly” place amongst the cattle and sheep, competing for food around the global manger. Yet “it does not follow, merely because we are descended from apes, that we ought to think less of ourselves, that our lives are less important” (Rachels, “Darwin” 99). But in fact there is little reason to look down on other animals. They have many traits that we admire. “They have social

instincts, enjoy companions, are sympathetic with the plight of those to whom they are close, help their fellows, knowingly risk their lives, grieve in the loss of life, are gratified by others' approval of their behavior" (Orlans 14). If we could shed our human bias we might recognize that understanding our place in nature need not involve a lowering of self. It is time that we see "animal" not as derogatory but as 'us.' . *We are animals*, just one species amongst millions.

c. *consistency and impartiality*: Given empirical evidence that we are just one remarkable species amongst many, on what logical grounds can we conclude that only human life is innately morally considerable? It is difficult to justify our extensive regard for human life when balanced with a remarkable disregard for the lives of other species.

Extreme regard for human life is evidenced in our respect for "jellyfish babies." In the Pacific Islands, where nuclear testing has caused birth defects, women have given birth to "jellyfish babies." In our current ethical system, "jellyfish babies" are morally considerable simply because they are born of a human being. Yet descriptions of these "children" belie all definitions of what most of us understand to be human: "These babies are born like jellyfish. They have no eyes. They have no heads. They have no arms. They have no legs. They are not shaped like human beings at all. But they are being born on the labor table. The most colorful, ugly things you have ever seen. Some of them have hairs on them. And they breathe" (Keju-Johnson 37).

Under current notions of moral considerability, these "jellyfish" are offered every opportunity to live, while healthy adults from other species are considered expendable. On what morally relevant grounds do we take the life of a chimp while protecting the life of a "jellyfish baby?" An ethic that protects the life of a "jellyfish baby" and allows for the slaughtering lambs is the epitome of inconsistency. What morally relevant criterion offers moral considerability to these living blobs, but not to turkey vultures or petunias? Is there any point at which a deformed entity—born of woman—is *not* morally considerable?

This perplexing case raises another question with regard to partiality, consistency, and evolution. Currently it is permissible to experiment on non-human primates. At some point in history, an "ape" gave birth to a "human being." If we could identify this historic

moment of transition, and the primates involved, our current ethical standards would deny the life of the parent (an “ape”) moral considerability, while the offspring (a “human”) would have complete and full moral status. This means that the mother could be freely exploited as “an animal” for science, while the “human” children would be entitled to experiment on their own parents!

From embryology to ecosystems our current knowledge indicates that we are not separate or distinct from the rest of life. Nor are our particular attributes superior to the attributes held by other species. The uncertain evolutionary transition of primates from one species to another, and the perplexing case of “jellyfish babies,” highlights inconsistency and partiality in our hierarchy of moral considerability. Because impartiality and consistency are basic philosophic principles, they ought to be upheld, and hierarchies of moral considerability rejected.

d. *the moral ideal*: Regan, Singer, and Taylor each demonstrated that species is *not* a morally relevant criterion. “Moral rules are species-neutral: the same rules that govern our treatment of humans should also govern our treatment of non-humans” (Rachels, Created 208). Any moral theory that makes distinctions based purely on species is untenable. “Anyone who wants to be rational and honest [ought to] recognize an equal obligation to consider the effects of his activity and inactivity upon the welfare of members of other species as those upon his own” (Sprigge, “Metaphysics” 124).

This is not to suggest that there is no hierarchy within human social structures or legal systems, or that such a hierarchy is inherently immoral. Human societies are rife with hierarchies based on considerations such as finance, employment, and appearance, none of which are morally relevant criteria. Hierarchies abound, but the Western moral ideal, the ideal on which we tend to build our constitutions and our legal systems, permits no hierarchy of human beings *with regard to moral considerability*. Theoretically, the life and welfare of each human being is as morally considerable as any other.

Practically speaking, we have not yet achieved our ideal. Evidence indicates that rich people who commit crimes are less apt to be arrested, and less apt to go to prison, than comparatively poorer people. Our practices do not always live up to our moral

ideals, but moral philosophy is concerned with what *ought* to be, not with what *is*. It is the duty of moral philosophers to develop ethical theories based on human ideals. "One of our most fundamental obligations (a *sine qua non* of ethicality) is discovering our obligations" (Birch 322).

As a society we hold the *ideal* that all human beings, regardless of finances, employment, or appearances are equally morally considerable. There is no morally acceptable hierarchy for human life.

Due to the absence of any morally relevant distinction between humans and all other animals, the rejection of a hierarchy of moral considerability for humans ought to be extended to other living entities. If life is to be protected, then consistency and impartiality require that all life be protected. The Minimize Harm Maxim asserts that all living entities are equally morally considerable. This is not to say that all creatures ought to be treated the same as humans, any more than a sick budgie ought to be treated the same as a starving budgie. The *interests* of each living entity must be considered equally along with the interests of each other entity. Conatus as the foundation of moral considerability eliminates hierarchy; all living entities are equally morally considerable.

From this humble base emerges an ethical maxim theoretically expansive enough to protect all living entities.

4. *MAXIM: Minimize Harm.*

I propose the extremely simple ethical maxim "harm less rather than more," or Minimize Harm. This maxim is informed by a handful of sub-points, presented in descending order of importance.

Harm is defined as that which interferes with or frustrates conatus, the force toward self-preservation, inherent in every living entity.

5. *Sub-Point One: Maximize Noninterference.*

a. *toward other entities:* Our moral obligation, long lost but hopefully not beyond our grasp, is to "let beings be" (Zimmerman 127-128). If we are to respect other entities we must allow them to "function spontaneously" in accord with their own nature (L. Johnson 163). Minimizing harm requires that human beings interfere as little as possible in

the existence of other entities.

Noninterference requires that we allow other entities to establish their own population balance, and that we allow them to live and die without human interference. There are instances in which human beings feel morally obligated to interfere. For instance, to prevent starvation, and in the aftermath of natural disasters.

Many argue that starvation is a more prolonged and painful death than a hunter's bullet, but this form of "population control" omits important factors. For instance, one ought to consider the terror of the hunted, risk-of-injury in pursuit, risk of wounding with a poor shot, damage to smaller entities and the environment in the act of hunting, and the mentality fostered by those who hunt and kill other living entities—violent killing harms those who engage in violence, and their communities.

In actuality, hunted animals that are at risk of starvation make up an extremely small percentage of "game" animals. Deer constitute about two percent of the animals killed by hunters in North America each year. The remaining 98 percent of hunted species are far from overpopulated. In fact, in most areas, their numbers have been drastically reduced over the last century (Luke 38). For instance, there is certainly not an overpopulation of mallards, yet millions of mallards are killed annually by hunters (Orlans 201).

Hunting is a self-perpetuating activity. Hunters and trappers who interfere with predator populations, may protect some animals from starvation, but in the long run hunters *cause* wildlife starvation and other damage to herds from which they hunt. Through bounties on wolf and coyote pelts, through the diligent efforts of farmers against cougar and bear, hunters completely removed most "dangerous" predators, including wolves, grizzlies, and cougar, from much of the United States, and almost all of Western Europe.

Eliminating or reducing predators to increase "prey" has become a common "wildlife management" strategy. The wolf-control program in Alaska current is currently reducing the wolf population in order to inflate caribou herds for the sake of caribou hunters. It is easy to see the cycle repeating: hunters will soon be able to argue that there

is an abundance of caribou, which *must* be killed to prevent starvation.

Consequently, this form of “management” is self-perpetuating. Hunters are expected to destroy a certain quota of animals, and that number of “excess” caribou, or deer, will be *purposefully* replaced. “Wildlife management” will make sure there is an equally excessive crop the following year.

Hunters are interested not just in the *continuation* of those species that they enjoy hunting, but also in the proliferation of those game species in sufficient numbers to maximize pleasurable hunting opportunities. The proliferation of game animals sometimes requires the complete or near extermination of natural predators—a case in point being the recent killing of wolves in Alaska to generate greater numbers of elk and caribou for human hunters to pursue. (Luke 38)

Furthermore, hunters harm the herds from which they hunt. Hunters do not select sickly, thin, or aging animals that are likely to die over the course of a hard winter; hunters kill the healthiest animals they can find (Luke 38-39). As a result hunters reduce the genetic strength of herds.

Hunting, trapping, and fishing are inherently exploitative. Wildlife “management” saves entities and habitat to suit *human* desires and ends, ultimately at the expense of numerous species. Because almost no one today hunts out of necessity, those who continue to hunt and fish “value their sport with animals more than they respect the lives of animals they pursue” (Dionys de Leeuw 373). In light of the biological fact that we do not need flesh in our diet, the human desires and ends that are met through hunting and fishing must be regarded as entertainment and recreation.

Hunting is incompatible with the Minimize Harm Maxim. If hunters and “wildlife management” are sincerely interested in preventing “overpopulation” they might implement birth control serums, administered with guns, that have been successfully used on wild animals as diverse as deer and elephants (Dateline). (In her article, “A Problem of Concern,” Mary Midgley explains why this option may not be an economically viable alternative as yet, but more recent evidence indicates that these economic concerns may

already be solved (Dateline).

The philosophic principles of consistency and impartiality do not permit hunting. We do not “cull” the “surplus” populations in Bangladesh, Ethiopia, or North Korea, even in cases of *mass* starvation. Even avid hunters are not likely to suggest that it is more humane to shoot starving peoples than leave them alone—or feed them.

When human beings do not wish to feed people, we simply turn our backs and “allow nature to take its course.” Casuistry insists that we handle cases that are similar in morally relevant ways in a similar manner. Starvation versus “a quick bullet” —what’s good for the goose is good for gander. If we are to be consistent and apply our ethical commitments impartially, we cannot condone hunting in any form, even under the guise of benevolent “population control.” The moral imperative of noninterference admits of our ignorance, and of our tendency to be selfish in “managing” other entities. Hunting is just one example of our inability to act in ways that truly benefit other species, as evidenced by our inconsistency.

In the interest of setting forth ideals that are the best they can be—utopian—it might *seem* best to maximize *benevolent* interference. However, this entails epistemological problems. We must not only be wary of our motives, but also of our assumptions, and of our understanding of the needs of other creatures. We may not be able to recognize when other entities are afraid, distressed, or in pain. Other animals have different sensitivities to sound, temperature, and odor (Orlans 264). How can we know what is offensive or harmful from every other organism’s point of view? We cannot be sure what is best for each and every entity; noninterference requires that we accept our limitations and our fallibility. Attempting to “manage” the lives and habitats of other entities is “normally futile, and frequently counterproductive. This is not just because we lack wisdom and power, but because introducing qualitative changes into ecosystems will generally result in less satisfaction of interests” (L. Johnson 244). Any action we take is almost certain to do more harm, overall, than good. “As simple ‘citizens’ of the biosphere, we have no claim to the prerogatives of global zookeepers” (Thiele 177). Noninterference avoids these epistemological pitfalls by asserting that we must refrain from manipulating

and meddling in the lives of other living entities.

This *laissez-faire* policy does not carry over to other human beings because we can communicate with other people and thereby avoid the epistemological problems entailed in “helping” other animals. Generally, it is assumed that human beings are entitled to more than mere existence; we are morally obligated to aid the poor, injured, or enfeebled (Gunn, “Traditional” 143). Where humans are concerned, because we are generally more similar to one another, we can be informed by other people regarding needs and preferences. *Only with consent* can we offer assistance. Our chance of causing harm under the guise of “assistance” increases exponentially as we move away from our family, our culture, and our species.

Under the Minimize Harm Maxim humans may interfere only when they are directly responsible for acute suffering. For example, on behalf of a snake wounded by a shovel. (The importance of intention is discussed in this section, under subpoint three.) Though we may not be able to help a wounded snake—or a dying human being, turning one’s back on the suffering of others is morally repugnant, even in the face of helplessness. Consistency and impartiality require that we hold ourselves to the same standards for a snake, as we do for other people. If we choose to interfere for the sake of an entity harmed by people, interference ought to take the form of a *permanent* solution aimed at restoring the wild entity to its previous, independent condition and habitat. In all other instances the Minimize Harm Maxim requires noninterference.

b. *non-human habitats*: For the sake of living entities, all of nature “should be treasured and the flourishing of ecosystems promoted” (A. Taylor 252).

Habitat includes all areas where living entities dwell. Human-made things are part of our environment, even refuse dumps, which contain many life forms. If we create a park or a garbage dump outside our front door, then our environment is a park, or a dump. How we treat our environment, the world around us, affects our planet—and every other earthling.

If we are to maximize non-interference, we must refrain from interfering with the habitats of other entities simply because “the conditions necessary for their existence [set]

valid claims against us which we are morally bound to fulfill" (P. Taylor, "Inherent" 28). Because the welfare of living entities is necessarily dependent on a "supportive environment" (A. Taylor 262), we must not harm the world around us. We cannot promote the good of manatees or dragonflies by destroying their natural homes (Regan, "Animal" 52). Maximizing noninterference requires that we avoid interfering with the environment.

Consequently, we ought not to disrupt the lives of other animals, vegetation, water sources, or the earth itself. Animals and plants are dependent on one another for survival. Plants need the earth and the earth needs the biosphere, animals, and plants for renewal. To destroy habitat harms all living entities that are dependent on that particular place for sustenance and survival. The interconnected web of life—so common in the mythology of indigenous cultures, and so prominent in eastern religions—is now backed by science, and informs the Minimize Harm Maxim. Interconnectedness requires us to refrain from altering, destroying, or harming the environment in order to avoid harming other living entities.

Human beings in the West have tended to assume that more biologically complex organisms are more morally considerable than biologically simpler organisms. Biological inter-dependence reverses this traditional Western hierarchy. Plants are critical for the survival of mammals, but the reverse is less often true. Therefore the protection of plant-life—of habitat—is central to the survival of larger organisms. For instance, pikas depend on local foliage for their sustenance, but pikas are not *critical* to the lives of the individual plants on which the pika depends. Our standard "hierarchy of importance" is reversed when we consider "the instrumental value of a population in terms of the health of an ecosystem: typically, plant populations have more instrumental value than animal populations and animals have more instrumental value than humans" (Hettinger 5).

Instrumental value is of little importance in the Minimize Harm Maxim, but it demonstrates the difficulties of establishing a hierarchy of moral relevance, and reaffirms the quest for consistency and impartiality. Any assessment of value is relative and therefore lacks philosophical strength. All living entities are equally morally considerable.

Therefore we ought to avoid interfering with habitats if we wish to avoid harm to the animals that live in those habitats. Even to mindlessly turn over a stone will have an effect on organisms in the area—a plant, an insect, or many beings too small for our senses to perceive.

Perhaps this is why Albert Schweitzer included snowflakes within his ethical system. He wrote that the ethical person “tears no leaf from its tree, breaks off no flower, and is careful not to crush any insect as he walks” (Thiele 177). He has been roundly criticized for including insentient organisms, and inanimate objects—a snowflake—under his protective ethical umbrella. But Schweitzer was correct—if we are to protect the musk ox, then we must protect the muskeg, and if we are to protect the muskeg, then we must protect the air, and the water—snowflakes. Schweitzer’s ethic acknowledges that a fruit bat depends on the insect, which depends on the leaf, which depends on the water, which comes from a snowflake. All things are interconnected. If we are to protect the bat, or the bird, or the great cats, or ourselves, we must protect the environment. If we are to protect the water supply at large, we need to be mindful of how we treat even the tiniest snowflake that lands in our back yard. To allow other entities to flourish, we ought to refrain from meddling with the environment.

c. *non-encroachment*: Noninterference carries the moral imperative not to encroach further into habitat: not to claim new territory for dams, roads, homes, museums, or garbage dumps. If we are to carry the protection of life to its logical extreme, we must not interfere with the environments of other entities. There are no exceptions. This is made possible by a no-growth, reduce and reuse policy for human beings.

d. *no-growth, reduce, reuse*: The “flourishing of sentient non-human life on this planet requires an end to human population growth” (A. Taylor 264). In thirty years projections indicate that human population will have expanded by nearly four billion individuals. Correspondingly, demand for food will double and industrial output triple (Crisp, “Values” 75). Whether or not these predictions are correct, human populations have grown astronomically in the last century, and continue to grow exponentially to the

present day. If we are to maximize noninterference, we ought to commit to a no-growth policy for human populations.

The greatest harm a human being can do is to have a child, especially in the capitalistic, resource-consuming West. Children in North America use a tremendous amount of resources in comparison with children in most other countries, such children in Fiji or Indonesia. Lifestyle choices, especially in the West, have done great damage to the environment (Stone 241). From abundant school supplies to extensive medical care, from well-packaged foods to highly mobile lifestyles, Americans, both children and adults, are *mega*-consumers, as are people in most of the Western world. In every country humans take a heavy toll on the environment, but humans in the Western world are probably the most environmentally destructive of all animals. Another aspect of reducing consumption is reuse and recycling. In order to minimize noninterference, human beings ought to commit to a no-growth population policy with extensive reuse and recycling programs.

“The ethic of unlimited economic growth no longer seems viable given the finite nature of the resource base and especially the limits of the biosphere to support further expansion of human activity” (Gowdy 55). In the Minimize Harm Maxim, it is a moral imperative to minimize consumption. Not only our population, but our “cancerous growth of material production and consumption... [are] fast degrading or obliterating the natural habitats of wildlife species, multiplying the numbers of enslaved factory animals, and having increasingly deleterious effects on the quality of human life” (A. Taylor 264). If we persist at our current rate of consumption, the continued degradation and destruction of the environment will necessarily follow (Strong 100). The ongoing ecological degradation is the result of “a conflict between our moralities (and religions) and our visible and immediate economic interests” (Jamieson, “Moral” 9). The protection of other entities “can be secured only if human beings exercise restraint and reduce the demands...” (Vischer 31).

For many people *conatus* entails bearing children. If we choose to breed, we ought to limit our reproduction to replacement numbers—one child per person—in order to minimize harm and maximize noninterference. We are not expected to disappear off the

face of the earth (though this might well bring about the greatest good to the greatest number of living entities). The Minimize Harm Maxim indicates that people ought to minimize harm: stop population growth, reduce the area we populate, reuse and recycle, and reduce the amount of resources that we consume.

e. *harm low on the food chain*: The Minimize Harm Maxim requires that, because we must take the lives of other entities to fulfil our basic needs, we ought to take the lives of those lowest on the food chain. By killing low on the food chain, harm is kept to a minimum.

Human beings ought to raise plants for consumption rather than animals. Animals must kill other animals, or other plants, in order to survive. Plants survive via photosynthesis, and do not harm other living entities. For this reason one ought to raise only vegetable crops, organisms that exist low down on the food chain, in order to minimize harm.

6. *Sub-Point Two: We may use other life forms only with consent*. Into the nineteenth century non-human animals were tried in court for behaviour that human beings determined to be "wrong." They were sentenced and sometimes excommunicated or executed according to human religion, human law, and human judgment (Evans).

Today we recognize that because other animals do not use human language they are not legitimate fodder for our gallows. Also due to this communication gap, other animals cannot dissent, or consent, to "use" in science, or in the food, clothing, or entertainment industries.

Under the Minimize Harm Maxim, except for basic needs where direct survival necessitates, we may only use other living entities for our purposes if "it brings greater advantages to the same individual, or [if] that individual gives consent" (Ryder, *Animal* 326). Consent for exploitation may only be given verbally, by one who is proficient with human language. Except for our immediate and direct survival, we cannot morally justify the "intentional infliction of pain," death, or other kinds of suffering, "without the consent... of the proposed victim" ("Narveson, "Animal" 165).

This is consistent with current Western human ethics, which dictate that we are

generally free to be with those who choose to be with us. For instance, we risk harassment or stalking charges if we persist in the presence of those who do not choose our company. In contrast, *with consent* we may use others for certain types of research, child-rearing purposes, labour, finances, or artistic productions. Consent is critical.

Because of the epistemological problems of understanding between species, we may not use other animals for any of our purposes. Under our current ethical system, forced servitude is illegal. For the sake of consistency and impartiality, this same standard must be extended to all that might fall prey to forced servitude.

7. *Sub-Point Three: Intentions Matter.* We have all heard the adage that good intentions are not good enough. For practical purposes this may be true. However, intentions are very important where moral matters are concerned, even if they do not always bring about the best possible outcome.

Intentions are the ultimate, personal guide for assessing the morality of our own acts. If Jex's very old great aunt drowns while she is bathing her in a large bathtub, Jex is not guilty of murder. She may be guilty of negligence, but not murder. Intentions do not necessarily affect outcomes: my great, great aunt is dead either way. But intentions do affect moral assessment. If Jex throws her aunt in a tub and *intentionally* drowns her, Jex is guilty of murder. As with this case, intentions are oftentimes the only difference between murder and accidental death, between stealing and borrowing, between cruelty and ignorance.

Morality does not insist that people never die, or that we *never* kill others, only that we never purposely kill other human beings without due cause. For the sake of consistency, this ethic ought to be extended to all living entities.

Even when good intentions result in bad effects, our ethical and legal system indicates that motivation is important in assessing guilt and assigning punishment. Sometimes we make mistakes—even in the tending of beloved children and companion animals—and we are not morally culpable for the bad effects of such actions if we have good intentions and are not negligent. Some “crimes” become the best possible action if one has good intentions. For instance, if Maggie lives in a society that punishes theft with

death and offers no aid to the poor and needy, and if Maggie has no wealth of her own, she might be considered a moral exemplar if she steals to feed the needy. It would be unlikely that Maggie's intentions toward the ones harmed (the wealthy), were benevolent, though she does them no bodily harm. Yet her act would most likely be considered noble because it involves self-sacrifice for the needy—good intentions. The thief is more concerned about aiding the needy than she is about property rights, or her own safety. Because her intent is to preserve life, her intentions are good. Intentions are critical for assessing the morality of certain acts.

One who lives by the Minimize Harm Maxim will have benevolent intentions. Intending to be compassionate and gentle results in a benevolent life, with very different actions and results from one who lives a life guided by indifference or self-interest. Intentions may not make a difference in how one behaves—one might steal, or kill, or lie—but intentions have a tremendous effect on the overall life that one lives. An individual who sincerely intends to be gentle and benevolent toward all will generally be gentle and benevolent. Intentions direct behaviour. We cannot control results, only methods (Horsburgh, Non-Violence 42).

Because harm cannot be avoided, harm is not in itself morally reprehensible. Intentions are critical in assessing *which* harms are immoral. For instance, harm that results from one's attempt to survive is morally acceptable. However, the same harm brought about without need is immoral. It is not the act itself—but *one's intentions toward the entity that has been harmed*—which ultimately determines the moral status of a deed.

In the Minimize Harm Maxim, if one turns over a stone and crushes a pollywog out of ignorance, one is not morally culpable. But if one turns over a stone *in order to* crush a pollywog, that individual is morally culpable. Similarly, if one plants a pea-vine to harvest peas, and in the process steps on a spider, that person is not immoral. However, if one sees a spider and purposefully extinguishes its life, one is guilty because the harm was intentional and unnecessary, and under such conditions one is guilty under the Minimize Harm Maxim. Yet again, if one kills a small child by accident (not through negligence),

one is not immoral—a tragic act, yes; reprehensible, no. However, if one *purposefully* kills another small child via the same error, ignorance has become negligence, and the deed is morally reprehensible. If one fails to guard against repeating a moral error in the future, then one becomes morally culpable. Intentions determine moral culpability.

Though intentions are critical, they entail epistemological difficulties. One cannot definitively know the intentions of another individual, and intentions are sometimes obscure even to the one who acts. Still, as is consistent with current Western ethics, intentions matter.

Morality is, ultimately, a very personal endeavor. When an act is done specifically to cause harm, it is immoral and ought to be judged differently from an act that has a benevolent intent, but brings about the same harm. The acting agent will know best what has motivated an action. Though intentions cannot be definitively known or quantified by a jury, we acknowledge the importance of intentions in our ethical system and legal code under such terms as manslaughter (unintentional, reckless killing) and murder (intentional slaying).

Intentions are critical because the *Minimize Harm Maxim* does not measure greater or lesser harm—needs and intentions of the one acting determine whether or not an act is immoral. It is morally acceptable to cause harm in order to satisfy basic needs. Neither is one morally culpable if they harm with good intentions, out of ignorance. Consistent with current Western ethics, all lives are equally protected. Due to the epistemological problems of comparing harms across species, the *Minimize Harm Maxim* does not compare suffering. In the *Minimize Harm Maxim* only the morality or immorality of one's act is relevant, and the *Minimize Harm Maxim* looks to the one who acts, not to the consequences, in order to assess morality.

8. *Sub-Point Four: Self-defense is Morally Permissible.* Because living entails harm, there is a need for each living entity to defend itself from other living entities. Each living entity strives to persist, and may therefore harm any other living entity that poses a *direct physical threat*. Bacteria, humans, and polar bears can all pose direct threats to humans, and we are not morally culpable if we choose to defend ourselves, even if we

harm these other entities.

a. *minimize conflict*: Self-defense is morally permissible but actions ought to be taken to minimize conflicts, and self-defense actions ought to be in proportion to the threat.

The Minimize Harm Maxim requires moral agents to minimize the need for self-defense. For instance, if Molly lives in a society without laws or law enforcement, and she depends on pumpkins for survival, she is not wrong to frighten, threaten, or even harm another person to defend her food-source—even if she foolishly plants her produce in an unprotected place. Self-defense is acceptable if my subsistence, and therefore my existence is threatened. However, if Molly *chooses* to plant her pumpkins in an unprotected place, knowing that planting her crop in a different location would avoid confrontation, she is morally culpable for harming entities that come to feed on her pumpkins. One ought to avoid the need for self-defense, when possible.

Similarly, if we know that intensive planting of crops is apt to cause “infestations,” then we ought to avoid planting intensive crops, rather than kill insects or rodents that come to feed on our crops.

Most “pests” might easily be avoided rather than eliminated. To minimize conflicts, with annoying or dangerous insects, we ought to wear long sleeves and use window-screens. In order to minimize conflict with “pest” mammals, we ought to avoid farming methods that attract these organisms. The Minimize Harm Maxim requires that we change our behaviour, when possible, to avoid harmful conflicts.

Minimizing harm in such instances is neither novel nor difficult. Indigenous cultures tended to avoided conflict in this manner, rather than destroying competitors or threats: “While the Europeans killed wildlife in number and without mercy, the Bantu built a structure that attempted to minimize association between humans and wildlife...” (Burnett 157). Just as we take precautions to avoid conflicts with detrimental humans, by locking doors and restricting our movement in dangerous areas or at dangerous times, we ought to avoid conflicts with other entities that we consider problematic or dangerous. The minimize harm ethic expects people to “do all that they reasonably can to keep such

conflicts from arising in the first place. Just as in human ethics, many severe conflicts of interest can be avoided simply by doing what is morally required early on" (Sterba 201).

The availability of law enforcement alters moral assessments. For instance, in Western law we are not allowed to harm someone who steals our pumpkins for two reasons: our lives are not directly in danger, and there are legal means to cope with such problems. If you steal your neighbour's source of sustenance, you pose only an indirect threat, and in our current ethical and legal systems your neighbour may not harm you. We may only harm another individual if that person poses a *direct* threat to our *immediate physical safety*, i.e. if we feel our own lives are in imminent danger. Thus, a human life can only be taken *if another human life is threatened*.

For citizens of Western countries, there is "no consideration short of the defense of one's own life [which] would justify taking the lives of others" (Narveson, "Animal" 165). But for "enemy" soldiers, law enforcement people on death row, and those with unwanted pregnancies, Western ethics are less clear about the value of human life. Soldiers can be killed in war, criminals can be executed, and fetuses can be killed before birth. Such killings are permissible based on assumed threats to the well-being or safety of other human beings. Such killings indicate that current Western ethics do not protect *all* human life in every situation.

b. *a parallel theory*: There is no parallel legal mechanism that maintains such a high moral standard for protecting life *between* species. While our current ethical system is designed to protect human life in almost every instance, current human legal systems allow individuals to harm members of other species for a host of reasons. In fact, there are very few instances in which other animals may *not* be killed, except where such killing harms the interests of a human being. For example, killing another person's goat is legally considered destruction of their property. Endangered species legislation provides another example. These laws protect the lives of other animals, but they are written from the point of view of the ultimate benefit to humanity—we have a selfish interest in biological diversity. In the absence of morally relevant differences, consistency requires that we apply human ethical standards for protecting life *for its own sake* to *all* living entities.

The Minimize Harm Maxim offers a more consistent and impartial *interspecies* morality, one that parallels human ethics. Minimizing harm requires that we exist in ways that minimize conflicts with other beings. Only when we have considered the behaviours of other animals, proactively protected our lives and livelihoods, and only when we are directly, physically threatened by another being, is self-defense a legitimate reason to harm another entity. This requirement is consistent with accepted Western human ethics between moral agents and moral patients.

c. *relative proportion*: In the Minimize Harm Maxim the occasional annoying fly that finds its way in despite screens, ought to be brushed away or put outside rather than swatted. An annoying fly does not deserve capital punishment any more than an annoying human. However, a mosquito buzzing around one's ears in an area known to have malaria, might be considered a direct, immediate threat to one's life, thereby earning a death-sentence. Similarly, a mouse in one's kitchen might not be considered ideal, but it is unlikely to be life threatening. Other animals that we do not prefer to live with ought to be relocated before numbers pose a health issue, and before conflicts arise.

The Minimize Harm Maxim asks humans to deal with other "pests" the same way we deal with human "pests." Consistency and impartiality require that we respect the lives of other creatures inasmuch as we respect human life. Therefore "pests" of all species ought to be dealt with similarly, most often through relocation rather than death.

9. *Minimize Harm Maxim Restated.*

It is possible to diminish the Minimize Harm Maxim to two complementary rules: minimize harm; maximize noninterference. As long as all sub-points are included this optional presentation seems acceptable. However, *no utilitarian scale of measurement applies*. Harm is not weighed or compared between individuals or across species.

In the Minimize Harm Maxim, first and foremost one ought to minimize harm. By way of carrying this out, one ought to maximize noninterference. There is no assessment of harms, but rather a personal assessment of intention. A harm is always regrettable, whether to a gnat or a pig, whether from losing a limb or from starvation. It is always immoral to harm a living entity purposefully and unnecessarily. It is only acceptable to

bring about harm when that harm has been minimized, and when such a harm is necessary for survival.

C. *Applications.*

This section applies the Minimize Harm Maxim to five ongoing protectionist issues and two hypothetical scenarios.

1. *Ongoing Protectionist Issues.*

a. *zoos and circuses:* Non human animals are used in zoos and circuses, on television, and in local fairs, for the entertainment and “education” of human beings.

Circus trainers replace normal species behaviour with unnatural acts. These modifications are made for the entertainment of human beings—because people find such acts interesting and entertaining. Distortion of natural modes, and imposing unusual behaviour for amusement, is unethical between people. For the sake of philosophical consistency, circuses ought to be acknowledged as unethical.

The Minimize Harm Maxim asserts noninterference, which requires that each living entity be left to its biological behaviours, unless we must harm such an organism in self-defense or to fulfil a primary need. Confining, restricting, and training other entities to perform bizarre acts, violate the Minimize Harm Maxim.

Given that zoos and circuses exist, what ought we to do?

Many caged animals have lost their ability to survive in the wilds. Non-human animals confined for human purposes ought to be re-habituated and returned to the wilds when possible. Those unlikely to survive in the wilds ought to be allowed to live out their lives in spacious, private quarters, in conditions that are as natural as possible. In such instances, good intentions require that these captive animals exist *for their own sake*, and not for the entertainment or “education” of others.

Any form of confinement of non-human living entities is inconsistent with human ethics. Capturing, imprisoning, and training non-human animals—under any human justification—fails to maximize noninterference, fails to minimize harm, and is therefore indefensible. We are not entitled to assume, across species and without consent, that

confinement is preferable to other alternatives. This includes activities such as captive breeding and caging “problem” wildlife.

While one might argue that such actions are well intended, a closer look reveals that this is not currently the case. Captive breeding fails to show good intent for the individuals involved. Captive breeding stems from *human* interest in maintaining genetic diversity amongst *species*. We do not act for the individual at hand, or even on behalf of the species we strive to save. It is for *our* future that we maintain biodiversity. Meanwhile, for those captured and caged, much is lost.

Consistency and impartiality require that our ethics deal with other animals as we deal with our own kind, in the absence of morally relevant distinctions. Many humans would rather die than be captured or controlled by others. The likely terror of finding oneself suddenly in a cell, the fear, frustration and boredom of confinement, uncertainty regarding one’s captors, and loss of freedom and autonomy are a dreadful thought to most of us—more so if our captors happen to be a completely different species, alien to our understanding and experience. Caged non-human animals exhibit behaviours that suggest that they feel similarly about being captured and detained, confined and controlled.

Even if we do not discern displeasure, given the epistemological problems of understanding what other animals think or feel, consistency and impartiality require that we treat all living entities as we treat human life. It is not morally permissible to cage, chain, or otherwise detain people for the purpose of entertainment or education. Nor do we engage in “captive breeding” to preserve “endangered” races. The last purebred Maori (indigenous to New Zealand) died recently; there was no systematic effort to continue this particular breed of human. It is considered immoral to control and manipulate the lives of other human individuals in such a manner. (An ethic that maximizes noninterference and minimizes harm would have assured the continuance of the Maori.)

In contrast, we do cage problem people. However, caging “problem” humans is not comparable for three reasons. First, caged humans are morally culpable. They are presumed to have willfully breached the ethical and legal systems relevant to, and understood by, their species. Such humans are morally accountable to human ethics; other

species are not, and should not be imprisoned with regard to an ethical and legal code of which they have no understanding, and which they played no part in establishing.

Second, “problem humans” undergo a rigorous procedure to determine the need for detainment. Non-human animals do not, and cannot, undertake such a procedure due to communication barriers.

Third, we cannot legally exploit imprisoned human beings. Prisoners are never forced to learn and perform “tricks” and they are not perpetually used as entertainment for others.

Consistency and impartiality require that we extend ethical standards that protect human life to protect other living entities, due to an absence of any morally relevant distinction between all human beings and all other animals. Consequently, the Minimize Harm Maxim does not permit captive breeding or caging “problem” non-human animals. Noninterference requires that we refrain from manipulating other species except out of necessity to satisfy basic needs, or with good intentions toward the living entity that is manipulated.

Where “problem” animals are concerned, the Minimize Harm Maxim indicates that we must do all that we can to avoid dangerous encounters, but if such encounters occur, we may harm an entity that poses a direct threat to our safety. Although we ought not to catch and detain such animals, capture-and-release reveals good intentions toward those caught, and is preferable, where applicable.

In the Minimize Harm Maxim zoos and circuses are fundamentally unethical because they are built and maintained for the benefit of human beings at the expense of other animals. Other animals are incapable of offering verbal consent to human beings for such usage. These institutions do not constitute an act of self-defense, nor do they reveal good intentions. They cannot be justified as fulfilling a basic interest. Zoos and circuses fail to minimize harm or maximize noninterference. Consequently, for the sake of impartial and consistent application of human ethical standards across species, zoos and circuses ought to be shut down, and those who work in such facilities otherwise employed.

b. *clothing*: The need to cover our bodies entails harm that fulfills a basic interest.

In the Minimize Harm Maxim, harming other entities is morally permissible in order to satisfy a basic interest, therefore acquiring clothing is a permissible harm

Killing low on the food chain harms less than killing higher on the food chain. Consequently, the Minimize Harm Maxim indicates that clothing ought to be acquired low on the food chain. Mammals are higher on the food chain than plants; consequently, their death entails more harm. Under the Minimize Harm Maxim, plant or mineral sources ought to be used for clothing whenever possible.

There are extreme instances in which using the body parts of other animals might be morally permissible. For instance, in the absence of alternative choices, if one is likely to freeze to death, one might kill another animal in order to make warm clothing. However, the Minimize Harm Maxim requires consistency and impartiality across species: the same individual must also be permitted to harm another human being for this purpose.

Now let us assume that this same individual, at risk of freezing to death, has received a shipment of ammunition for a semi-automatic rifle specifically so that she and her community might kill other creatures, including neighboring peoples, in order to acquire clothing for the winter. Using modern weapons, and access to ammunition, demonstrates availability of clothing sources that are lower on the food chain. If a hunter is able to receive supplies from afar, then she ought to receive cotton and Polarguard, flour and potatoes—or starters for planting hemp and potatoes—rather than weapons. Weapons perpetuate a lifestyle that fails to minimize harm. Anyone importing or buying modern, manufactured munitions ought to import clothing and food-staples rather than guns and ammunition.

In the past certain hunter-gatherers could not have survived without wearing parts of other animals. Times have changed. “Hunter-gatherers” who import flour and coffee on Monday and shoot ducks and rabbits on Tuesday fail to minimize harm. “[I]t is disingenuous to point to such human communities” and claim that those who “live close to the land” can kill and still “show respect for animals” (A. Taylor 254). Those who destroy living entities unnecessarily fail to demonstrate respect for life. If vegetable products such as cotton or hemp can be imported along with flour and coffee, there is no need to harm

other animals, and the hunter fails to minimize harm.

The Minimize Harm Maxim does not permit wearing the body parts of other creatures except in life-threatening situations where no plant sources can be employed. The Minimize Harm Maxim asserts that one ought to harm as low on the food chain as possible, in order to minimize harm and maximize noninterference. This application of current Western ethics maintains the important standard of impartiality.

c. *diet*: Living entities must eat to persist. Human beings have the same right to persist as other organisms. However, *what* we choose to eat is morally relevant.

Under the Minimize Harm Maxim, we ought to kill low on the food chain in order to minimize harm; one ought to eat only fruit. Second best would be the diet of a fruitarian, followed by that of a vegan. A vegetarian food choice results in considerably more harm, but not as much as a carnivore that eats flesh, dairy, and eggs.

Those who eat only fruits cause the least harm. When we eat fruit such as peaches, berries, tomatoes, grapes, or bananas, we do not harm the seeds; the seeds remain viable. Eating fruit thus need not cause any harm to the plant, and may actually be beneficial to the spreading of its seeds. For this reason fruits are the ethically preferred food source.

Fruitarians, who eat only fruit and nuts, do not kill plants or animals. Eating nuts interferes with the reproduction of plants because *potential* plants are destroyed when the nut (seed) is eaten.

A vegan eats no animal products. However, the reproductive conatus of plants is harmed when one eats peas or beans, while other plants are completely uprooted, such as carrots and potatoes. Vegan's harm at the very bottom of the food chain, harming only plant life.

If one is a vegetarian, one destroys many more plants and contributes to the suffering of non-human animals.

One might think that subsisting on the nursing-milk of cattle brings about less harm than subsisting on dairy products because nothing needs to die *directly* for the consumption of nursing-milk: neither cow nor calf are *necessarily* harmed. In the Western world, animals that produce dairy products are harmed through the process of

repeated impregnation, the removal of their young, slaughter of male calves, and the extracting of nursing milk for human purposes. *Like humans, cows do not lactate unless they are with young.* Only after being impregnated, and after giving birth, will a cow produce milk. If the calves are kept alive, they (like their parents) proceed to destroy many smaller entities in the process of survival. Male dairy calves are most often subjected to the horrors of the veal industry, which allows them a truncated and much-diminished existence. Veal calves, along with battery hens, are among the most neglected and abused agribusiness victims.

Egg laying birds, such as hens and turkeys, destroy other animals such as insects, worms, and snakes. If they are fed processed corn or wheat, the ill-effects of agribusiness adds additional harm.

If one chooses to eat animals one brings about the most harm. By killing entities that eat other life forms (usually plants), rather than directly eating entities that live by photosynthesis, one increases exponentially the amount of harm in the world. Not only does one harm the animal whose flesh is eaten, but also the many plants necessary to sustain these animals, and the many smaller animals that live within and on that species.

Grazing animals (both dairy and flesh industry) rarely *kill* vegetation—but they do interfere with the conatus of large quantities of vegetable matter. (Note that this only holds for natural grazers.) Herbivores also destroy the lives of many smaller animals simply by moving around and chewing on vegetation. Animals that are not natural grazers—those fed processed grains and grasses—consume tremendous quantities of vegetation that has been raised and destroyed solely for this purpose. Agribusiness grain products are an inefficient method of producing food, and they are extremely harmful to the environment. Harm to the environment is also greatly increased if one chooses to eat flesh from the supermarket:

...90 percent of the protein, 99 percent of the carbohydrate, and 100 percent of the fiber value of grain is wasted by cycling it through livestock, and currently 64 percent of the U. S. grain crop is fed to livestock. Thus, by adopting a more vegetarian diet, people ...could significantly reduce the amount

of farmland that has to be kept in production to feed the human population. This change, in turn, could have beneficial effects on the whole biotic community by eliminating the amount of soil erosion and environmental pollutants that are a result of the raising of livestock. For example, it has been estimated that 85 percent of the U.S. topsoil lost from cropland, pasture, range land, and forest land is directly associated with raising livestock. (Sterba 202-203)

Most notably, those who eat flesh truncate the lives of these other animals. Many animals raised under the difficult conditions of modern agribusiness are harmed greatly during their short existence. Consider the case of broiler hens:

This must constitute, in both magnitude and severity, the single most severe, systematic example of man's inhumanity to another sentient animal. ...these animals are in chronic pain for one third of their short, six-week lives, only 10% are able to walk normally, up to 6% die during rearing, 4% have chronic arthritis, 3% break their bones, and 2 million of them die during transport each year. In 1994 some 7 billion of these animals were in the United States, 4 billion in Europe, and 719 million in the United Kingdom. (Orlans 255)

Current Western agribusiness techniques cause tremendous harm, not just to chickens, but to all species that are produced for human consumption:

...factory farms "reduce" the animals made to live in them. For one thing, the very confinement of the animals makes their natural development impossible. Confinement also usually pushes the animals past the point at which their social instincts can offer them emotional and social equilibrium. Caged chickens are cut off from any social relations whatsoever, while others, raised 100,000 to a giant shed, are "debeaked" (have their beaks cut off) so that they can't peck each other to death in their fury and confusion. All "stock" are bred for maximum weight gain. Pigs are often so bloated that they cannot even copulate... artificial insemination is coming into vogue. There are already chickens who gain weight so fast that they cannot walk, and deformities and unexplained deaths abound. Research veterinarians argue that chickens already "have been bred to grow so fast that they are on the verge of

structural collapse” —while genetic engineers speak with enthusiasm about soon breeding chickens that have no heads at all. (Weston 119-120, quote from Wise, Veterinary 91)

If cattle and chickens are allowed freedom and their natural longevity (which is not the case for free-range hens or cattle), and if we maximize noninterference in their lives, and minimize harm, *it is still morally preferable to eat only fruit, to be a fruitarian, or to be a vegan.* Consuming *any* animal products represents a failure to eat low on the food chain, and thereby fails to minimize harm.

When we choose what we eat, we make an *ethical* choice. “Unlike us... animals cannot survive without killing other creatures [for food]” (Telfer 78). Human beings *can*. There is no nutritional need for humans to eat *any* animal products such as dairy, flesh, or eggs. In fact, doing so increases harm not only to those consumed, but also *to the consumer*, since the consumption of animal products is linked to serious health problems, such as heart disease and cancer.

Minimizing harm also indicates that food ought to be organically produced so that the destructive methods of agribusiness, including the harms of pesticides, herbicides, overt cruelty, transport, and waste disposal are eliminated. Organic, local farming minimizes harm and is consistent with the Minimize Harm Maxim.

Some argue that traditional diets ought to be maintained in order to preserve cultural heritage, offer continuity and meaning, and prevent peoples from becoming dependent on outside sources for warmth and sustenance. Hunting is considered a traditional activity. There are three important factors to be considered regarding this viewpoint:

- what constitutes “traditional”
- resolution of conflicts between tradition and more fundamental ethical commitments
- notions of independence

“Traditional” is defined as an act or idea that has been handed down from the past; a “long established or inherited way of thinking or acting” (Webster’s). Tradition entails

actions that are a “continuing pattern” of customary methods (Webster’s). This definition indicates that if one breaks continuity, the tradition is broken. It also indicates that the *act* is not important in and of itself—*methods* are important.

Today’s hunters use modern methods. Oftentimes there is very little vestige of older practices. Most “traditional” hunters cannot be distinguished from other modern-day hunters. Yet the definition of traditional indicates that if traditional methods have not been continuously maintained, an activity is not traditional. Neither can people *return* to traditional methods because, by definition, these activities must be a “continuing pattern.” Tradition refers to customary methods that have been maintained continuously over an extended period of time. Hunting with modern weapons under modern conditions does not, and *cannot*, qualify as traditional.

Second, when tradition conflicts with more fundamental ethics, current Western ethics has set a precedent for upholding ethics at the expense of tradition. For instance, when tradition threatens human life, *the tradition is systematically destroyed*; headhunting and slavery are apt examples. When one’s tradition is headhunting, rather than deer hunting, we make haste to ban cultural heritage. Consistency and impartiality require that we extend our preference for preserving life, over preserving tradition, to all living entities. Our reaction to slavery and headhunting indicates that today’s “traditional” hunters must be acknowledged as yesterday’s bad habits. Persistence of culture, though important, is not as important as preserving the fundamental health and welfare of individuals. As a matter of consistency in applied ethics, the Minimize Harm Maxim is as decisive about protecting *all* living entities as human ethics are about protecting *human* life.

Finally, there is the issue of dependence. “Traditional” advocates often argue that they do not wish to be dependent on other people for their sustenance. If “traditional” hunters use manufactured weapons, or import ammunition, sugar, or coffee not only do they not qualify as “traditional,” but they do not qualify as “independent.” If *any* products are imported, isolation and “independence” are fictional. The Minimize Harm Maxim indicates that one who minimizes harm will not depend on merchants who sell weapons rather than merchants who sell vegetables and rice. In either case they are dependent, but

only in the latter instance do they minimize harm.

What of the harm that gardening entails? Do not gardeners grow vegetation and then destroy it? Do they not maim and kill hundreds of small creatures in the process? Yes.

Two points must be recalled:

- to persist as a biological entity entails harm
- intentions matter

We cannot maintain our existence without causing harm. The Minimize Harm Maxim asks only that we *minimize* harm. Ideally, this would mean that one would subsist only on fruit.

Intentions matter. The intent of gardening is not to maim and kill, but to sustain life with a minimum of harm. To be consistent with the Minimize Harm Maxim, each move a gardener makes ought to be toward the production of food, and any harm caused ought to be either unavoidable or incidental. Vegetable gardeners who follow the Minimize Harm Maxim are morally obliged to minimize harm: they ought to avoid running over snakes, hacking worms in two, using pesticides, squishing insects, or destroying slugs and mice that share food-sources.

d. *science*: Science has brought many wonderful things to our world, from Velcro to computers, from medicine to astronomy. However, science has also brought many more questionable things into our world, such as pesticides and cloning, Styrofoam and nuclear weapons.

Science has often been divorced from morality. From a polluted and overpopulated planet to a generation of children that have grown up under the threat of nuclear disaster, we have suffered the consequences of science divorced from morality—and sometimes devoid of common sense. This does not disavow the good that science has brought to our world, of the good intentions of many scientists, but it does require us to reconsider some of what science can offer, particularly those things that science offers at the expense of life itself.

Scientific experimentation on living entities of any kind is not a basic need; it is not necessary for the survival of the experimenter. Nor is any one experiment necessary for

the survival of *any* particular individual. There are many instances where experimentation has led to the saving of lives, but this is not the same as experimentation being *directly and surely necessary to a living entity*. Some experiments have proven essential to the lives of particular individuals after the fact, but this is not a predictable outcome—no single experiment is done *because it is necessary to and will surely save a certain life*.

The nature of experimentation entails uncertain outcomes. Benefits are hypothetical. Furthermore, much experimentation does nothing to help anyone, except perhaps the rare researcher who gains the personal benefit of publishing her work. But publishing does not constitute a basic need. Although benefits are hypothetical, the “subjects” of an experiment are *always harmed* because they are exploited, without consent, for someone else’s possible gain.

Good intentions do not legitimize experimentation. While an experimenter’s final intent may be admirable, their short-term intentions are deplorable: scientists who experiment on animals frustrate, infect with diseases, remove vital body parts, and inject alien substances into subjects that cannot offer consent. Such acts fail to show good intentions. While harm is not the ultimate intent of scientific research, those who experiment on animals harm “laboratory” animals *purposefully and directly*. Such acts do not constitute good intentions. Nor do they minimize harm.

How then are we to preserve ourselves against disease? It is permissible for a living entity to fight *directly against disease in self-defense, but not to exploit others toward this end*. This is consistent with current Western human ethics. If people allowed the exploitation of other human entities to secure personal survival, then an individual with liver cancer might capture a healthy organ from a neighbour in order to replace their own cancerous liver. Under the Minimize Harm Maxim we are not helpless in the face of disease. It is morally permissible, because it satisfies a basic interest and is an act of self-defense, to fight to persist against such living entities as bacteria, invading cells, or viruses. Self-defense is morally permissible when faced with a direct threat to our immediate survival.

Consistent with current Western ethics, the Minimize Harm Maxim does not allow

one to exploit innocent third parties in order to achieve personal ends. Neither are scientists morally justified in exploiting other life forms in hopes of finding cures for those that have, or might come to have, biological shortcomings, cancerous cells, or harmful viruses. Noninterference requires that we allow other entities to exist as they are, and forbids the use of other living entities for our own hypothetically beneficial ends. If we are ethically committed to maintaining consistency and minimizing harm, mice, rabbits, monkeys, and dogs ought not to be traded off against the hopes of those who are unhealthy or dying.

However, this does not preclude all experimentation with living entities. Under the Minimize Harm Maxim no life form may be sacrificed for the benefit of another, *without verbal consent*. Those who offer verbal consent may be used for experimentation. People who are ill and wish to be used to test drugs, those who might be able to save a loved-one by risking an unknown operation, and those who might save someone much younger by giving their body to science may do so. Due to communication barriers, verbal consent effectively eliminates all human exploitation of other animals for science. Only with the consent of the “used” entity may science exploit one being for the benefit of another. The Minimize Harm Maxim indicates that the ethical individual ought to inflict suffering only for the advantage of the individual that is caused to suffer, or with consent.

Neither does this preclude all use of non-human animals. Animals that have died naturally, or that have been euthanized for their own sake—because they were painfully, terminally ill, for instance—may be used for the purposes of science, as they are today (Zinko 7).

This is consistent with human ethics. Human ethics indicate that it is immoral to exploit healthy entities in an attempt to save one’s own life. No matter how talented, powerful, artistic, or influential an individual is, it is immoral for them to exploit other people (without consent) in hopes of regaining their health. It is also consistent with applied human ethics because we use dead human beings for the purpose of science. The Minimize Harm Maxim maintains an impartial and consistent ethic to protect all living entities.

The Minimize Harm Maxim offers an ethical ideal. Each living entity desires to persist, but human ethics prevent the powerful from exploiting the weak. Our laws and values indicate that to kill others in the hope of saving oneself is unethical, unless one acts in self-defense. The Minimize Harm Maxim extends this commonly accepted ethic to all entities. One might be willing to kill a mouse, or a million mice, or the very last mouse on earth, to save a loved one. But such exploitation is hardly commendable. Desperate sentiments are not a sound basis on which to build an ethical code. Ethics offer an ideal, not a defense of our most base tendencies.

More precisely, our powerful instinct to live is exactly *why* we need to have ethical codes—to protect the weak from the powerful. Current Western ethics generally asserts that *might does not make right*. The Minimize Harm Maxim, based on consistency and impartiality, insists that this is just as important *between* species as it is amongst our own kind. Under a maxim that requires us to minimize harm, human illness remains *our* problem; we may not destroy or harm other beings in our efforts to secure health and longevity. Experimentation on non-human living entities, entities that cannot give verbal consent, is never justified under the Minimize Harm Maxim.

e. *non-human animal companions*: “Pets” entail multiple ethical dilemmas: What are non-human companion animals to be fed? Where can they roam where no other creature will be disturbed? How might we deal with the prodigious amount of waste produced by our animal companions? What are we to do with the great quantities of homeless “pets” that we allow to breed each year? How can we protect them from negligent or cruel “owners”?

Exaggerated numbers of “domestic” animals increase harm to other living entities. Roughly 70 million small animals are killed by domestic cats every year (Wilkins 75). Petfoods line the coffers of those who own and operate slaughterhouses and other enterprises that exploit living entities for profit. “Companion animals” are also vulnerable to human abuse. “Pets may be subjected to deliberate cruelty, but also, and perhaps more commonly, may become victims of mere indifference and neglect” (Benton 71). For all of these reasons, “companion animals” increase harm.

Because “pets” interfere with our ability to minimize harm, breeding companion non-human animals is incompatible with the Minimize Harm Maxim. Therefore, we ought to tend the “pets” that already exist by keeping them contained (so that they do not prey on other animals), by feeding them a vegan diet, and by sterilizing each one. Under the Minimize Harm Maxim “pets” ought to be phased out through sterilization.

2. *Lifeboat Scenarios.*

Protectionist theories have frequently been criticized for leading to “outrageous” conclusions when applied to “lifeboat” scenarios. Most theories, when they are applied to outlandish situations, tend to induce outrageous conclusions. Yet there is philosophic value in examining hypothetical scenarios (as discussed in the introduction). Therefore, in this section the Minimize Harm Maxim is applied to a typically unlikely lifeboat scenario in order to test the buoyancy of the Minimize Harm Maxim. The goal is to determine, ideally, what might transpire in a certain hypothetical situation.

Let us suppose, as Regan did, that there are four humans and a non-human animal in a lifeboat. The boat can only float with four entities aboard.

The Minimize Harm Maxim indicates that, ideally, those humans on board who are able to converse with one another would *consider* how to minimize harm. Ideally, all on board would have good intentions (i.e. they would intend to minimize harm) and one entity would willingly die for the sake of the other four. Perhaps they would choose to allow the oldest, the terminally ill, or the sickly to die. Another consideration might be numbers saved. If one member were pregnant it would then constitute a greater harm to throw her overboard. If this were the case, and if the non-human happened to be a potter wasp tending a multitude of larvae, then throwing the potter wasp into the sea would fail to minimize harm.

In an ethic where species, consciousness, talent, intelligence, and sentience are irrelevant to the wrongness of causing harm—as is the case among humans in our culture—we must search long and hard for morally relevant criterion by which to make such a decision. Age, health, and pregnancy are the most obvious candidates for making a morally relevant distinction in such a lifeboat scenario. In the Minimize Harm Maxim *the*

destruction of each and every entity is an equal harm. Ultimately, in the Minimize Harm Maxim, it does not matter which entity goes overboard.

In the Minimize Harm Maxim, ideal ethical behaviour minimizes harm. The harm of exterminating any one of the five entities *is equal no matter who goes overboard*. Amongst human beings who share a language, they ought to discuss which decision would entail the least harm.

The Minimize Harm Maxim stands in a long line of philosophic theories that are utopian. While idealistic theories often seem extreme and unlikely, the Minimize Harm Maxim stands as a model of what we *ought* to do if we are to be consistent and impartial, in the absence of a morally relevant distinction between people and other animals, and if we are to persist in our current ethic with regard to human beings. The Minimize Harm Maxim upholds ideals that Western ethics strongly supports, such as protecting the health and safety of the weak and poor from the powerful and rich. The Minimize Harm Maxim allows each living entity an improved *chance of fulfilling vital interests that might otherwise be lost* if we did not strive to minimize harm.

3. *Organs versus Organisms.*

How might we apply the Minimize Harm Maxim to systems within systems? Does my left lung have an equal claim to persist in relation to my entirety? Does a species count for more than the individual?

Minimizing harm requires that we harm less rather than more. To avoid harm is to avoid frustrating or thwarting the conatus of living entities—the interest that each living entity has in biological persistence. To spare a spleen at the expense of an entire body—liver, spleen, heart, scales, etc.—is counter productive. Similarly, one ought not to spare a cell within a spleen at the expense of the spleen. To destroy the whole for the sake of one part fails to minimize harm.

The spleen is dependent on a specific body, and the body equally dependent on the spleen; each is mutually and exclusively dependent on the other. To destroy the spleen is to harm the dependent body, and all other organs. To save the spleen, at the expense of the many other organs in the body, fails to minimize harm. One ought not to save an

internal organ at the expense of a living entity.

This is not true in the case of individuals and ecosystems. Animals are generally not individually integral to any one ecological system. Nor is a specific ecosystem necessarily mandatory for the survival of a particular entity. An animal might travel over several mountain ranges during its lifetime, or (as in the case of adventuresome stowaways), to different continents. Individuals and ecosystems are more flexible in their association. Unlike internal organs, no particular individual need be destroyed along with an ecosystem, and no ecosystem is significantly affected by the loss of an individual. Therefore, individuals and ecosystems are not analogous to body parts and bodies.

If we are to minimize harm, we ought not to sacrifice organisms for the sake of organs, nor ought we to sacrifice living entities for the sake of ecosystems. Such a conclusion is consistent with human ethical theory and practice, which maintains human beings at the expense of human organs, and at the expense of ecosystems.

VI. REVIEW AND FUTURE DIRECTIONS

In the course of this dissertation I indicated methods and intent, explored the work of four prominent philosophers, and presented an idealistic protectionist theory based on consistency and impartiality. This final chapter summarizes the fundamental concepts explored and developed in the course of my dissertation, and suggests directions for future protectionist scholarship.

1. *Overview.*

a. *a conspicuous problem:* In the West, both civil law and human morality protect human conatus, the urge "*to preserve our existence as persons*" (P. Taylor, "Inherent" 25). Western countries tend to protect human life—each human being is maintained even at tremendous expense to the rest of society. In contrast, the lives of other animals remain almost completely unprotected (Orlans 17).

At one time only certain human beings were morally considerable, even in Western nations. Current Western morality recognizes that there is no morally legitimate reason to deny moral considerability to *any* human being (though there are instances in which moral considerability fails to protect human life, such as the case of "enemy soldiers," or criminals condemned to die). Although moral philosophers have been unable to establish any morally relevant criteria for denying basic protection to other species, Western countries continue to deny all other species even the most fundamental moral protection. The contrast between morality with regard to human life and morality with regard to all other life forms is conspicuous. It is because of this inconsistency that most informed people will acknowledge discomfort with current practices, and it is because of this inconsistency that protectionism is an "idea that is easy to ridicule but hard to refute" (Ryder, *Animal* 332). "Current legal consensus seems to be that nearly any human interest can in principle qualify as an acceptable justification for animal use... Whether there is a

moral consensus in society to this effect is more doubtful" (Orlans 317).

b. *a cooperative enterprise*: It is the task of moral philosophers to either sort out this inconsistency in moral theory and practice, or justify it. Moral philosophers continue to explore more consistent ethical theories. The works of Regan, Singer, Linzey, and Taylor contribute to this ongoing effort.

Protectionist philosophy benefits from this diversity of theory: "What is needed most is more cooperative work, and less competitive philosophizing" (Regan, "Animal" 61). A variety of philosophical theories offer an enhanced possibility for solving this ongoing moral dilemma.

A diversity of theories is also better suited to the diverse population of Western countries. For instance, Linzey's theory will be irrelevant to an atheist, but is apt to be interesting, and compelling, for a concerned Christian. Alternatively, if an individual feels strongly about human rights, they are apt to find moral concordance in Regan's work. Each theory helps individuals to recognize and acknowledge the current inconsistency, as well as offering possible solutions.

c. *the Minimize Harm Maxim*: The Minimize Harm Maxim is a protectionist theory that will appeal to a more general audience than most other applied protectionist theories. This theory is apt to find moral resonance with someone who is interested in philosophical consistency.

Let us imagine an individual who does not accept the notion of human rights, does not care about minimizing suffering, and who is not moved by religious teachings; what is the most fundamental common ground one might reach with such an individual? The answer seems to be *conatus*: this person is alive, and almost surely wishes to remain alive.

If one accepts that they have *conatus* that they wish to protect, and that human beings in general have *conatus* that ought to be protected (as we all generally assume), then moral consistency requires that they extend this protection to all entities that have *conatus*. In the absence of any morally relevant distinction between all human beings and all other animals, the Minimize Harm Maxim asserts that ethics ought to protect *all* life forms if *any* life forms are protected, barring any morally relevant distinction. If one

wishes to assert that only they, or only human beings, have an interest in persisting, *the burden of proof is theirs*.

Summary:

- Western moral standards and practice are inconsistent and partial with regard to the value of human life as opposed to the value of all other life forms.
- Therefore a diversity of protectionist theories is beneficial to the ongoing search for a more consistent ethic with regard to non-human animals.
- The Minimize Harm Maxim is part of this ongoing effort in protectionist moral philosophy.

2. *Philosophical Standards and the Minimize Harm Maxim.*

a. *ethical theories:* Current Western ethics is inconsistent with regard to moral considerability of human life and moral considerability of all other life forms. It is the task of moral philosophers to reexamine established ethics and offer sound moral alternatives.

Human actions affect the land, other living entities, and every human being. There is a link between moral behaviour and a smooth-running, satisfied society (Horsburgh, Political 47). Human ethics are extremely important to the larger world.

Moral philosophy presents maxims and theories that guide moral behavior. The practical application of philosophy, determining what one ought to do in a given situation, is the task of applied philosophy. One philosophical tool in this endeavor is casuistry, examining situations on a case-by-case basis, and consistently applying ethical standards in diverse situations that have morally relevant similarities.

Another philosophical tool is the use of utopian visions, ideals that can guide us through real-life situations. The role of moral philosophy is to establish "claims on our consideration or respect which we acknowledge as in some sense ideally determinative..." (Goodpaster, "On Being" 313). Western ethics entails many ideals that are not only difficult, but perhaps also impossible to realize. Even a saint must at times be lustful, disingenuous, or gluttonous; it seems impossible to avoid all forms of dishonesty at all times. Yet self-control and honesty remain ethical ideals.

Conversely, making concessions for human ethical shortcomings is *not* a legitimate

concern of, or acceptable practice for, moral philosophers. Stringent expectations, and the need for sacrifice, do not alter or diminish the value of moral ideals. Ethics distinguishes ideals from actuality, preferable behaviour from common behaviour. An ethic limited by what an individual can reasonably be expected to achieve is a degradation of ethical theory. Morality is about what one *ought* to do, not about what one *does*. Human actions may fall short of the ideal, but the task of moral philosophy is to present *ideals*.

Therefore, moral philosophers ought not to justify the way individuals *prefer* to live, even powerful, influential individuals. "What is right will not always be apparent, and the temptation will always exist to rationalize as necessary what we desire or find convenient" (A. Taylor 262). Down through history powerful people have often enjoyed a multitude of freedoms at the expense of others.

...suppose that we had quite different rules, and that more people were free to hit others in the nose, and correspondingly fewer were free to enjoy the full beauty and utility of their own unbloodied proboscises. Would this new arrangement have a greater or smaller "amount" of freedom in it, on balance? ...there would be not "less" freedom but freedom of a morally inferior kind. (Feinberg, Social 24)

For centuries humans have been freely swinging their fists, while other species have suffered bruised and broken lives.

A "major role of morality... should be to enjoin the protection of the vulnerable from the powerful" (Miller 333); establishing moral codes that respect and protect the comparatively weak from the strong is one of the definitive duties of moral philosophy. The weak and silent have interests; therefore the powerful ought to sacrifice for the protection of the less powerful (Feinberg, Social 25). Few would condone a moral theory that allowed the strongest and most powerful what they prefer at the expense of the weak, the silent, or the poor (Feinberg, Social 23).

But current Western ethics is inconsistent: weak and vulnerable non-human animals are not protected from powerful, exploitative human beings. "...Respect is an

antidote to expediency and ignorance. When respected, no being ever counts for nothing. Without respect for others, the powerful see everyone and everything as either servants and resources or as real or potential obstacles to exercising their power” (diZerega 37). Moral philosophers have thus far failed to establish a consistent ethic that protects the many vulnerable non-human animals from the powerful, prosperous human species.

b. *examining the Minimize Harm Maxim:* The Minimize Harm Maxim, an idealistic moral theory based on consistency and impartiality, strives to actualize moral ideals through applied philosophy. The Minimize Harm Maxim protects *all* of the poor, weak, and helpless.

The Minimize Harm Maxim does not make concessions for privileged or powerful minorities (human beings as opposed to all other living entities); this is consistent with norms for moral philosophy. Moral theories ought not to be limited by the abilities of human beings; moral theories indicate how one ought to live. Therefore, also consistent with established practices in moral philosophy, the Minimize Harm Maxim offers an *ideal*.

The ease or difficulty of enacting a moral theory does not add to or detract from the moral strength of a theory. In the absence of a morally relevant distinction between all people and all other animals, the Minimize Harm Maxim indicates what one ought to do in order to maintain consistency, and act impartially. The Minimize Harm Maxim carries current ethical standards with regard to human life to their logical conclusion—not to suggest what one might *prefer* to do, nor what it is “reasonable” to expect, but in order to indicate what one *ought* to do *if every human life is morally considerable*.

c. *comparison:* The Minimize Harm Maxim maintains a number of important philosophical strengths in relation to other protectionist theories:

- It maintains consistency and impartiality.
- It avoids the dubious metaphysical concept of moral rights.
- It avoids the epistemological difficulties of assessing consciousness across species.
- It avoids the epistemological difficulties of determining and comparing sentience or subject-of-a-life across species.

- It does not depend on the epistemologically perplexing task of comparing pleasure, pain, harm suffered, opportunities for satisfaction, or pain across species.

But there are also problems entailed in the Minimize Harm Maxim. First, the Minimize Harm Maxim is based on current Western ethics with regard to human life. But Western morality is not consistent with regard to minimizing harm to human beings. War, capital punishment, and abortion are all examples of practices that reveal a lack of respect for human life.

The Minimize Harm Maxim, and each of the protectionist theories included in this dissertation, extends Western ethics with regard to human life outward to include other life forms. If Western ethics do not value human life, as assumed, then the basis for the Minimize Harm Maxim, and most protectionist theories, must be reexamined.

Second, one might argue that human ethics do not generally allow people to kill one another *even in dire situations*. Consequently, one ought not to kill other animals, period. Permitting the killing of other animals in extreme situations is therefore inconsistent with Western ethics.

However, human ethics also disallow eating other humans that are already dead, under any circumstances. It is likely that the taboo against eating other humans is specifically a narrow, intraspecies ethic, generally upheld throughout the animal kingdom. If so, this moral imperative holds little sway over an interspecies ethic regarding moral considerability of all life forms.

Third, in the event that one has to kill another animal (say for the sake of warm clothing when there are no other alternatives), it is unclear whether one ought to choose to kill herbivores or carnivores. Herbivores eat low on the food chain, and therefore do not cause as much harm. In contrast, carnivores eat higher on the food chain. Consequently, to kill a carnivore, rather than a herbivore, is to minimize the harm that remains in the world.

However, if one must continue this method of subsistence over a prolonged period

of time, killing herbivores would seem preferable. Because animal populations replace missing members, replacing carnivores would be more harmful than replacing herbivores, based on the fact that the young eat more than mature animals.

Another perplexing question arises with regard to whether or not one ought to choose to kill a healthy or an unhealthy deer, when presented with the choice. If one kills the healthy deer one avoids the additional harm of killing parasites that are likely to have infested a less healthy animal. However, if one kills the unhealthy animal, one avoids contributing to long-term harm to the larger herd. Perhaps a long-range vision seems more appropriate: kill the sickly deer, do more harm initially, but avoid long-term harm of destroying the healthiest members of a herd.

Finally, the most likely objection to the Minimize Harm Maxim is that such a theory requires tremendous sacrifice because *the entire natural world is morally considerable*.

What is convenient, or what one might prefer, is not the concern of moral philosophy. Ethical theories such as the Minimize Harm Maxim indicate what one *ought* to do for the sake of consistency (if one is to persist with current ethical standards regarding human life, in the absence of any morally relevant distinctions between all human life and all other life forms).

3. *Reexamining Current Western Ethics.*

Protectionist philosophy is based on the following:

- Current Western ethics generally places supreme value on human life.
- Philosophers have established no morally relevant distinction between all human beings and all other living entities.
- Consistency and impartiality are cornerstones of Western philosophical theory and applied philosophy.

Until now I have argued as follows:

- *if* one can find no morally relevant distinction between all people and all other animals, and
- *if* one accepts morality regarding human life,

- *then* consistency and impartiality require an extenuation of the moral sphere to include all living entities.

However, this is not the only option available; there are at least three options:

- Change current Western ethics so that all living entities are morally considerable.
- Establish morally relevant criteria that differentiate some or all human beings from some or all other non-human living entities.
- Change current Western ethics with regard to human life.

Through the viewpoints of other scholars, as well as in the Minimize Harm Maxim, this dissertation has explored the first option thoroughly. The second option has also been explored. This option would almost surely result in the loss of moral considerability for some human beings. More importantly, this option is plagued by the epistemological difficulties of assessing living entities across species. The third option remains unexplored.

a. *reconsidering the value of human life:*

So you are not like a washing machine or a car and are not defined by the material present at this moment. You are a complex system of activities that makes temporary use of various kinds of matter, but that matter is not you. You, and all other organisms, are continuous systems of material flux, of matter moving in, playing a role, and moving out. You are more like a candle flame or a whirlpool than like a washing machine. (Williams 118-119)

What is the value of human life? Many ancient religious teachings, and modern sciences, indicate that human beings are more akin to the mayfly than to the divine. If one were to alter current ethical standards with regard to the value of human life, one might be able to establish a more consistent ethic that treads a more moderate path—and maintain consistency.

In light of the flagrant inconsistency in Western ethics between regard for human life, and regard for all other life forms, it seems reasonable to reevaluate *both* in search of a more moderate and consistent ethic. Protectionists have focused almost exclusively on

extending current ethics for human life to other living entities. Perhaps we ought to reexamine Western ethics with regard to the value of human life.

Western ethics have supported the maintenance of medical patients that have been brain-dead for years, elderly who would prefer to wither away in peace, and terminally ill patients who are suffering and wish to die. Western morality generally encourages the maintenance of human life, even at great cost to the community and against the will of the endangered individual, except in carefully defined circumstances (such as that of dangerous criminals, “enemy soldiers,” or unborn fetuses). Peter Singer remarked in a recent interview that humans have, for two thousand years, “enshrined the sanctity of human life, no matter how compromised” (Specter 46). In his view it is inevitable that such a human-centered view should eventually be exposed as fraudulent, and denounced, “just as the day had to come when Copernicus proved that the earth is not at the center of the universe” (Specter 46).

That time has come. In the absence of any morally relevant distinction between a lifeless and brain-dead human being and protozoa, consistency requires that we extend moral considerability to protozoa. It is *because* of extreme protection of all human life that philosophic consistency leads us to such radical ethics as the Minimize Harm Maxim. However, as with the second option, this option threatens to remove moral protection to some human beings in some situations.

b. *continuing the trend—moving ethics outward*: Given the extent of the ethical discrepancy involved, expanding current notions of “moral considerability” to include other life forms seems inevitable. Even if we exclude certain human being, and even if we fail to protect human beings in certain situations, consistency is apt to require that we extend the circle of moral considerability.

It is the task of moral theories to perpetually knock on established ethical boundaries, to push morality to a higher standard. Westerners have extended ethics outward from self, to family, to community, and to the entirety of the human species (Norton 173); we are now called upon to extend moral considerability to other species.

Only a lingering and unprincipled prejudice can now underlie the exclusion of animals from the kingdom of ends. Principled moral equality cannot stop with the human race. Thus, animal liberation presents itself not as a deviant blip in moral theory, but as a compelling outcome of a long Western moral tradition as it has become progressively refined through the demands of consistency, through redefinition of what in human experience we value and want morally protected, and through developing empirical knowledge regarding similarities and continuities between the human and other species. Such is the case for the animals. (Miller 322)

While it remains unclear whether or not every human being ought to be morally considerable, it is clear that *consistency requires the extension of moral considerability beyond the human circle*.

c. *human limitations*: How far are human beings able to extend the circle of moral considerability?

Some philosophers assert that human beings are meant to be selfish: "...is it not natural for us to be anthropocentric, given that wolves typically conduct themselves in a lupocentric manner, eagles generally behave aquicentrically, and bees are fervent apicetrists?" (Thiele 178). Perhaps partiality is not only to be expected, but also accepted. "In making judgments about the moral status of living things, we are not (or should not be) seeking to estimate their value from the viewpoint of the gods, or that of the universe. We are not gods but human beings, reasoning about how we ought to think and act. Our moral theories can only be based upon what we know and what we care about, or ought to care about" (Warren 43). If this is the case, then it is unreasonable to expect animals such as human beings to establish a more inclusive ethical vision.

Accepting the human tendency to be selfish seems misguided for three reasons. First, the history of moral philosophy does not support this assertion. Self-centered partiality has been the successful target of ethical theory for centuries. The abolition of slavery in the United States required southerners "to give up their biggest economic investment" ("Underground"). Cotton—sown, grown, and picked by slaves—was the most important export—*more important than all other exports combined*

("Underground"). Today few would argue that the economic base of the south, or the personal economic interests of those involved, were more important than protecting the basic interests of individuals.

Second, if Western morality accepts that human beings are fundamentally selfish, and abandons protectionist ethics as a consequence, the repercussions will be far-reaching. In the absence of a morally relevant distinction between all human beings and all other animals, with an affirmation of human selfishness, individuals would be *entitled* to be selfish with one another. We could not only exploit a spotted sandpiper and a kinkajou, *but also other human beings*.

Third, any vision that abandons an ongoing quest for a more expansive, compassionate ethic runs contrary to the general understanding of what it is to be a human being. People tend to identify bees with an extremely complex social order, whales with gentleness and intelligence, and eagles with beautiful flight and keen eyesight. Western culture has long held that human beings are the quintessential rational animal, as well as the uniquely moral animal. If people accept that they are fundamentally selfish and incapable of maintaining a consistent ethic of respect for life, then we will need to reexamine the human animal. How can individuals be praised for attributes they are unwilling, or unable, to employ?

4. *An Ongoing Endeavor.*

I have proposed and defended an ethic that moves beyond rights and animals, beyond vertebrates and sentience, and beyond assumed levels of consciousness, to include all living entities. The concept of such an expansive ethic is not new: ancient religious beliefs, born before the advent of human history, uphold ethics that protect all life forms, and view human beings as just one of many remarkable life forms. This attitude is supported by modern science, and philosophers are beginning to suggest that *nothing* ought to be excluded from moral considerability:

...it is ethically wrong to suppose that we need and ought to establish a criterion of moral considerability... persevere in our unethical Western imperial venture. That is, putting any criterion

into practice is an act of domination, an arbitrary act of power and violence to the beings that are thereby rendered Other (i.e., constructed as objects of domination and control).

The assumption that we can and ought to establish a criterion of considerability should therefore be abandoned. Once it is, however, we come to the perhaps startling (and to those who are captivated by this assumption, seemingly bizarre) realization that everything must be given moral consideration. (Birch 318)

In light of a comparatively stringent Western ethic with regard to human life, and in light of the conspicuous absence of any morally relevant distinction between all humans and every other living entity, the conclusion is inescapable: all living entities ought to be acknowledged as morally considerable.

If ethical theories are to have practical relevance, those committed to a more consistent ethic ought to change activities and choices to reflect their commitment. Such individuals are also called upon to seek legal backing in order to force change in a morally negligent world. "The law must be made to recognize... that non-humans have claims to life, freedom and the pursuit of happiness just as we do; and among the liberties that individual non-humans should be able to enjoy is the freedom from exploitation by humankind" (Ryder, Animal 332).

There is growing evidence that a handful of human beings are ready to rise to this moral challenge. One of the most well known lawsuits amongst protectionists was "on behalf of a small rare fish, the snail darter, [which] derailed construction of a \$100 million dam" on the Little Tennessee River (Stone 178). Such a legal case would have been unthinkable fifty years ago. Somewhere in the last half-century the snail darter, and at least one ecosystem, became a serious moral consideration, even if only to satisfy human ends.

Socrates taught that "the unexamined life is not worth living." Today the Socratic injunction to "Know thyself" entails

...recognizing that one is a single life form among many and that one inhabits an environment that is

complex beyond our current understanding and easily perturbed. It also means recognizing that one is part of a global community that has existed for centuries and will, one hopes, exist for many more and that the capacity for an aesthetic appreciation of the majesty, complexity and wonder of the natural world is part of what makes us who we are. (Russow 12)

Current Western ethics is not only inadequate because it is inconsistent, but also because it disregards our biological affiliation with other animals; reveals a lack of appreciation for the majesty, complexity, and wonder of life; and demonstrates a lack of understanding of the fleeting nature of our personal existence on this planet.

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